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A HISTORY OF
THE AMERICAN PEOPLE

BY

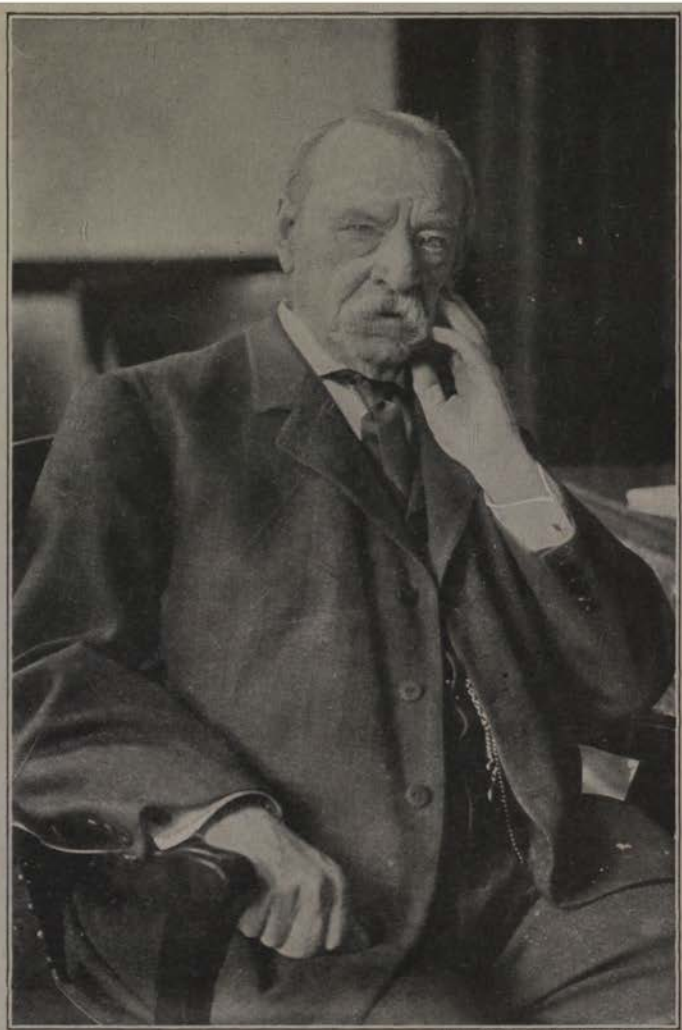
WOODROW WILSON, PH.D., LITT.D., LL.D.

DOCUMENTARY EDITION

IN TEN VOLUMES

VOL. X

Reunion and Nationalization



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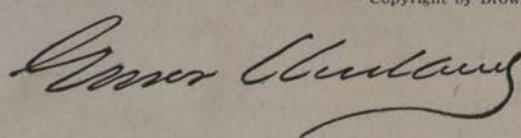

GROVER CLEVELAND

(From a photograph by Brown Brothers, taken in 1908, shortly before his death)

DOCUMENTARY EDITION

A HISTORY OF THE AMERICAN PEOPLE

BY

WOODROW WILSON, PH.D., LITT.D., LL.D.
PRESIDENT OF THE UNITED STATES

ENLARGED BY THE ADDITION OF ORIGINAL SOURCES AND LEADING DOCUMENTS OF AMERICAN HISTORY INCLUDING NARRATIVES OF EARLY EXPLORERS, GRANTS, CHARTERS, CONCESSIONS, TREATIES, REVOLUTIONARY DOCUMENTS, STATE PAPERS, PROCLAMATIONS AND ENACTMENTS

ILLUSTRATED WITH CONTEMPORARY VIEWS, PORTRAITS, FACSIMILES AND MAPS SELECTED FROM RARE BOOKS AND PRINTS

IN TEN VOLUMES

VOLUME X

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HARPER & BROTHERS PUBLISHERS
NEW YORK AND LONDON

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a Chinese Embassy and a treaty was ratified at Washington, July 28, 1868, concerning "trade, consuls, religious toleration, and emigration." The Embassy proper was composed of Mr. Burlingame and the two Chinese dignitaries who appear in the engraving seated on his right and left. These are Chih-tajin and Sun-tajin, mandarins of the second rank in the Flowery Kingdom. They are called "Mandarins of the Peacock's Feather," from the fact that they are entitled to wear that emblem of nobility. The attachés of the Embassy consist of J. MacLeavy Brown, First Secretary of Legation, Monsieur Edward de Champs, second Secretary of Legation; six native interpreters—two speaking English, two French, and two Russian—and a native physician and two writers of the Embassy—the treaty recognized the "inherent and inalienable right" of man to change his home and allegiance and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from the one country to the other for purposes of curiosity, of trade, or as permanent residents. The treaty was received with every manifestation of favor by the American people 273

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JULES MARTIN CAMBON.—From Henry Cabot Lodge's *War with Spain*. He was French ambassador to the United States in 1898. After the defeat of Spain he was appointed the special representative of the Spanish government to arrange for a cessation of hostilities as well as for the preliminaries of peace. After the ratification of peace, he was selected by the governments of the United States and Spain to make the formal exchange of certified copies of the Act 336

WILLIAM RUFUS DAY.—From Henry Cabot Lodge's *War with Spain*. Secretary of State in 1898 in charge of the delicate diplomatic correspondence preceding and during the war with Spain and of the negotiations of the protocol of peace. After the protocol had been accepted Judge Day was appointed Chief of the United States Peace Commission, his place as Secretary of State being filled by John Hay 338

ENDING THE WAR.—M. Jules Cambon, the French ambassador, signing the peace protocol on behalf of Spain. From left to right: Lieutenant-Colonel Montgomery; President McKinley; Mr. Day, Secretary of State; Mr. Moore, Assistant Secretary of State; M. Thiebaut, Secretary of the French Embassy; M. Cambon; Mr. Pruden, Assistant Secretary to the President; Mr. Cortelyou, Assistant Secretary to the President; Mr. Cridler, Third Assistant Secretary of State; Captain Charles Loeffler, doorkeeper. From a drawing by T. De Thulstrup, published in *Harper's Weekly*, August 27, 1898 341

PRAXEDES MATEO SAGASTA.—From Henry Cabot Lodge's *War with Spain*. Premier of Spain in 1897. The result of the war with the United States led to his resignation in 1899. But he again took office in 1901, resigning in 1902, when Alfonso XIII. attained his majority 343

SECRETARY OF STATE JOHN HAY SIGNING THE MEMORANDUM OF THE RATIFICATION OF THE TREATY OF PEACE WITH SPAIN ON BEHALF OF THE UNITED STATES, AT THE WHITE HOUSE, APRIL 11, 1899.—From *Harper's Weekly*, April 22, 1899, after a photograph copyrighted by Frances Benjamin Johnson 345

M. JULES CAMBON, THE FRENCH AMBASSADOR, SIGNING THE MEMORANDUM OF THE RATIFICATION OF THE TREATY OF PEACE WITH SPAIN, ON BEHALF OF SPAIN, AT THE WHITE HOUSE, APRIL 11, 1899.—From *Harper's Weekly*, April 22, 1899, after a photograph copyrighted by Frances Benjamin Johnson 347

A HISTORY OF THE AMERICAN PEOPLE

DOCUMENTARY EDITION

PART I.

A HISTORY OF THE AMERICAN PEOPLE

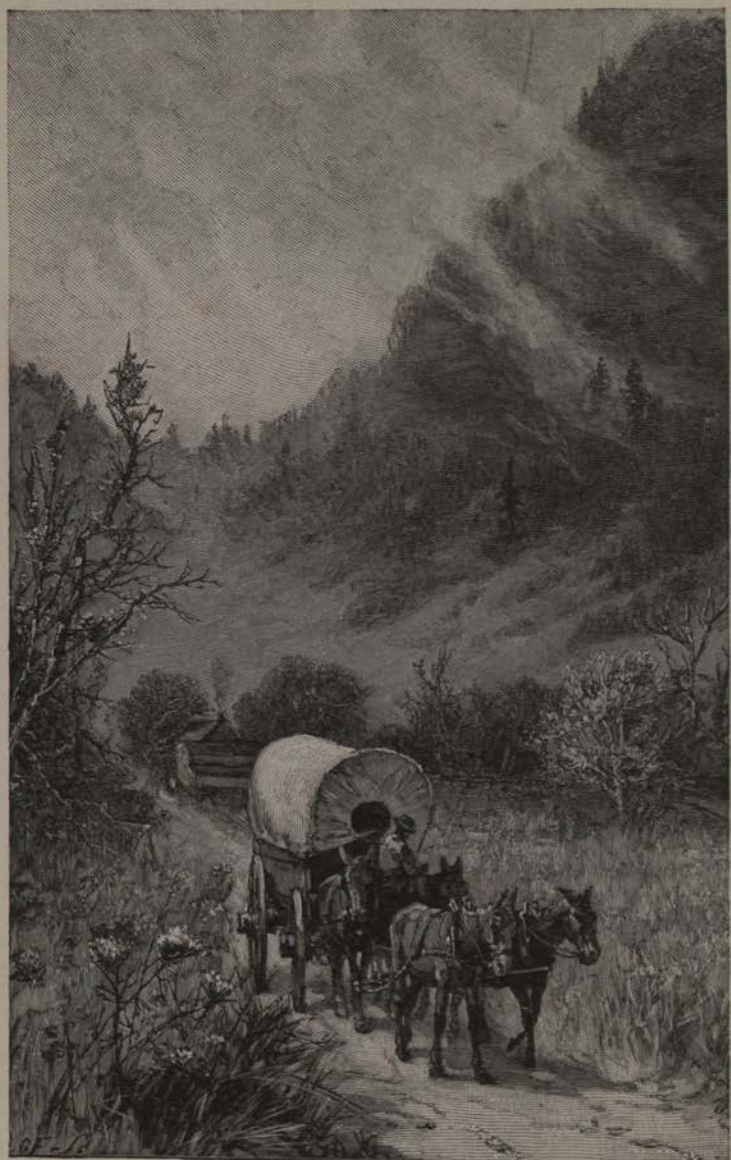
CHAPTER I

RETURN TO NORMAL CONDITIONS

WITH the coming in of Mr. Hayes the whole air of politics seemed to change. Democratic critics of the administration were inclined to dwell with a good deal of acidity upon the flagrant inconsistency of the President's course in first using the questionable governments of Louisiana and South Carolina to get his office and then forthwith repudiating them and bringing about their immediate downfall by withdrawing the federal troops upon whose presence and support they relied for their existence; and his friends could urge only that the constitution provides that presidential electors shall be "appointed" by each State "in such manner as the legislature thereof may direct," and that it might with perfect consistency be argued that the legislatures of the southern States could commit to their returning boards the right to choose presidential electors while at the same time maintaining that those boards ought not to be sustained in the virtual selection of state governors and legislatures as well. But, in any case, whether consistent or inconsistent, the President's action had brought grateful peace. Almost at once affairs wore a normal aspect again. The process of reconstruction, at least, had reached its unedifying end, and the hands of political leaders were free to take up the history of the country

where it had been broken off in 1861. Instead of the quick, resistless despatch of party measures from session to session by congressional majorities which even the President's veto could not check or defeat, there had come a breathing space in which no party was supreme and the slow and moderate ways of compromise and accommodation were once again vouchsafed the country, at last quite out of breath with the pace to which it had been forced in its affairs. Not for fourteen years, from the elections of 1875 to those of 1889, were either Democrats or Republicans to control both Congress and the Executive. There was leisure from passion; men could look about them deliberately and without excitement and note how the country had changed.

It was no longer the country of 1861. Sixteen years, mixed of war which forced industry to a quick, almost abnormal development and of peace that came like a release of energies cramped, pent up, uneasy, had brought something like an industrial revolution with them. The South was of a sudden added as a modern economic force to the nation. Her old system of labor, which had shut her in to a virtual isolation, was destroyed; she was open at last to the labor of the world and was to enter with all her resources the industrial life from which she had so long held off. The great Appalachian region which stretched its mighty highlands from Pennsylvania through Maryland, the Virginias, Kentucky, Tennessee, and the Carolinas full seven hundred miles into Alabama and Georgia, and which spread its broad surfaces of mountain, valley, and plateau one hundred and fifty miles by the way upon either hand, geologists knew to be an almost unbroken coal field, it might be thirty-nine thousand square



A TYPICAL SCENE IN THE APPALACHIAN MOUNTAINS

miles in area. Upon its skirts and in the broken country to the east and west of it iron also abounded, and mineral deposits which no man had looked into. The world still needed the southern cotton and tobacco, and before the first crude processes of reconstruction were over the cotton fields were once more producing almost as much as they had yielded in 1860, the year of greatest abundance ere the war came on,—so readily had free labor taken the place of slave. The industrial development of the South had been joined to that of the rest of the country, and for the first time since the modern industrial age set in capitalists turned to her for investment and the enterprises that bring wealth and power.

And what was for the South as yet but an exciting prospect and confident hope was for the North already a reality. The war had been a supreme test of economic vitality, and the States of the North and West had emerged from it stronger than they went into it. Almost every industry that yielded the necessaries of modern life and action had felt and responded to its quickening compulsion; and when peace came manufacturers but looked about them for wider markets, better and cheaper processes, a broader scope of operation. Artificial stimulation in the shape of heavy tariff duties had been added to the natural stimulation of the time and of the rapid and healthy growth of the nation. Congress had taxed almost every article of use in the country to support the war, and had added to the innumerable direct taxes which it imposed an enormously expanded system of duties on imports. It had done so in part to offset the direct taxes, to enable the manufacturers, who had to pay large sums to the

INTERIOR OF THE MAIN BUILDING AT THE PHILADELPHIA CENTENNIAL EXHIBITION

government on the articles they made, to keep the market nevertheless against the importers; but it had made the duties much higher than that consideration taken alone made necessary. It had raised them to a point that made profit, very great profit, certain to accrue to the manufacturer. No considerable body of manufacturers asked for such "protection" that did not get it, and as much of it as they asked for, though it reduced the revenues of the government to grant it. Hardly a month went by while the war lasted that Congress did not add a new duty or increase an old one, and every industry was nursed to make the most of itself in the home markets, until its undisputed monopoly there as against foreign manufactures gave it wide margins of profit of which to avail itself in underselling competitors in the markets of the world.

The country got visible proof of its extraordinary material progress at its Centennial Exhibition in Philadelphia. The last year of General Grant's presidency was the centennial year of the independence of the United States, and the anniversary was celebrated by a great international industrial exposition at the city of Philadelphia, where the Congress had sat which took counsel for the young republic at its birth. All the greater commercial and industrial nations were represented in its exhibits. Foreign governments responded very promptly to the invitation to lend their aid in securing its success, among the rest the government of Great Britain, whose defeat in arms the great fair was meant to celebrate. The presence of her official commissioners made it a festival of reconciliation. America's own bitter war of civil revolution also was over, and a time of healing at hand. The thronging

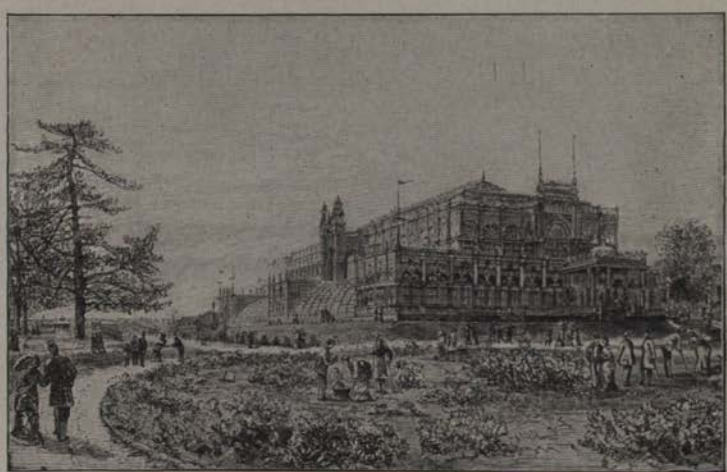
crowds at Philadelphia, the gay and spacious buildings, the peaceable power of the world's workmen exhibited upon every hand spoke of good will and the brotherhood of nations, where there was no rivalry but the rivalry to serve and to enrich mankind.

It was significant for America that objects of beauty marked everywhere among those exhibits the refinement and the ennobling art of the world. Throughout all the long hundred years in which they had been building a nation Americans had shown themselves children of utility, not of art. Beauty they had neglected. Everything they used showed only the plain, unstudied lines of practical serviceability. Grace was not in their thought, but efficiency. The very houses they built, whether for homes or for use in their business, showed how little thought they gave to the satisfaction of the eye. Their homes were for the most part of wood and the perishable material hardly justified costly ornament or elaborate design; and yet the men of the colonial time, keeping still some of the taste of an older world, had given even their simple frame dwellings a certain grace and dignity of line, and here and there a detail, about some doorway or the columns of a stately porch, which rewarded the eye. Builders of the later time had forgotten the elder canons of taste and built without artistic perception of form even when they built elaborately and at great cost. The same plainness, the same hard lines of mere serviceability were to be seen in almost everything the country made. The things to be seen at Philadelphia, gathered from all the world, awakened it to a new sense of form and beauty. Foreign governments had generously sent priceless works of painting and sculpture over sea to

give distinction to the galleries of the Exhibition. Private citizens and local museums also had freely loaned their chief art treasures. Everywhere there was some touch of beauty, some suggested grace of form. Visitors poured by the million across the grounds and through the buildings of the Exhibition, out of every State and region of the country, and the impressions they received were never wholly obliterated. Men and women of all sorts, common and gentle alike, had from that day a keener sense of what was fitted to please the eye. The pride of life and of great success that came with the vision of national wealth and boundless resources to be got from the countless exhibits of farm and factory had in it also some touch of corrected taste, some impulse of suitable adornment. Men knew afterwards that that had been the dawn of an artistic renaissance in America which was to put her architects and artists alongside the modern masters of beauty and redeem the life of her people from its ugly severity.

That great fair might also serve to mark the shifting stress of the nation's life. Its emphasis was henceforth, for at least a generation, to rest on economic, not upon political or constitutional, questions. The changing character of public affairs had been indicated as early as the presidential campaign of 1872. That campaign had witnessed not only the emergence of the "Liberal Republican" party, made up upon the questions of political amnesty and a thorough reform of the civil service of the government, but also the creation of a "Labor Reform" party whose programme said little or nothing of the ordinary political issues of the day and spoke mainly of the relations of capital and labor,

of the legal limitation of the hours of daily work, of the need of a currency which should render the people less subject to the power of the banks, of the control of the railways and the telegraph lines by the federal government, of the disposal of the public lands. The convention of the new party had been made up chiefly of trades union bosses and political free lances, but it had brought delegates together out of seventeen States



HORTICULTURAL HALL AT THE PHILADELPHIA CENTENNIAL EXHIBITION

and was an unmistakable sign of the times. The workingmen of the country were about to bestir themselves to make their power felt in the choices of government and law. In 1876 an "Independent National" party came upon the field, to make the issue of legal tender notes by the government, in place alike of gold and of silver, the chief point of its protest against the programmes of the two regular parties. To the country it was known as the "Greenback" party. The notes

which it demanded should be issued were to be practically irredeemable, being convertible, not into gold or silver, but "into United States obligations merely." It was practically repeating the demand of the Labor Reform party of four years before for "a purely national circulating medium, based on the faith and resources of the nation, and issued directly to the people without the intervention of any system of banking corporations," in order that there might be established "a just standard of the distribution of capital and labor."

On all hands there was manifest a growing uneasiness because of the apparent rise of monopolies and the concentration of capital in the hands of comparatively small groups of men who seemed to be in a position to control at their pleasure the productive industries of the country; because of the power of the railways to determine by discriminating rates what sections of the country, what industries, what sorts of products and of manufactures should be accorded the easiest access to the markets; because of the increase in the cost of the necessary tools of industry and of all manufactured goods through the operation of the tariff,—the inequitable clogs which seemed to many to be put by the law itself upon the free and wholesome rivalries of commerce and production. The farmers of the West and South, no less than the workingmen of the industrial East, had begun, close upon the heels of the war, to organize themselves for the protection and advancement of their own special interests, to which the programmes of the political parties paid little heed. Between 1872 and 1875 the local "granges" of a secret order known as the Patrons of Industry had multiplied in a very significant manner, until their membership rose

IN YELLOWSTONE PARK. GRAND CAÑON, POINT LOOKOUT, AND GREAT FALLS

to quite a million and a half and was spread over almost the entire Union. It was the purpose of the order to promote by every proper means the interests of the farmers of the country, though it was no part of its plan to agitate questions of politics, put candidates for office into the field at elections, or use its gathering power to determine the fate of parties. Politicians, nevertheless, found means to use it,—felt obliged to use it because they feared to let it act for itself. Its discussions turned often on questions of transportation, upon the railways and their power to make or ruin; it was but a short step in such a field from an association for mutual protection and advice to a political party organized for the control of legislation.

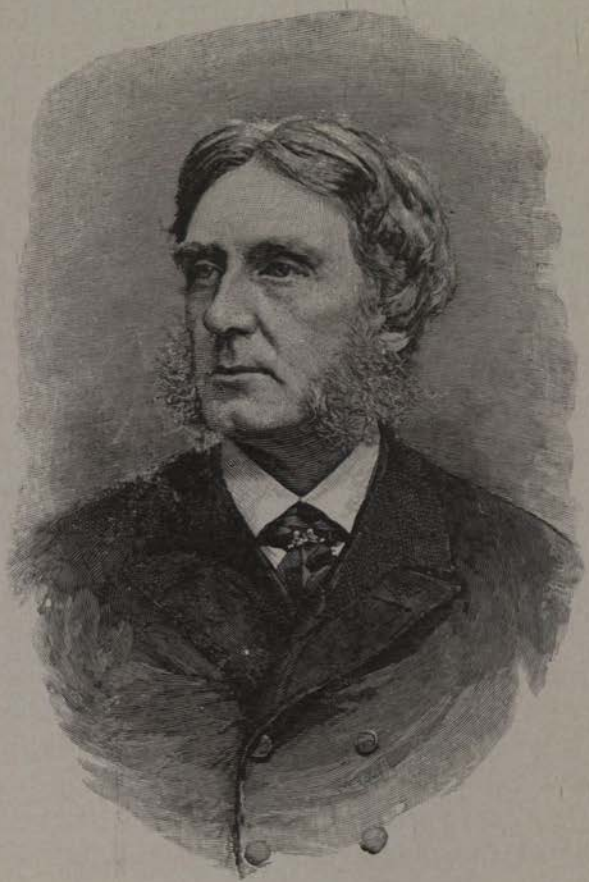
"Grangers" were not always to be held off, therefore, by their prudent leaders from using their numbers and their ready concert of action to further or defeat the ambitions of particular groups of politicians; and even while their granges grew other organizations of farmers came into existence whose aims were frankly and openly political. About the time of Mr. Hayes's accession to the presidency independent associations began to make their appearance in the South and in the West, under the name of the "Farmers' Alliance," whose common object it was to oppose monopoly and the power of money in public affairs in the interest of those who had neither the use of capital nor the protection of tariffs. The first "Alliance" made its appearance in Texas, to prevent the wholesale purchase of the public lands of the State by private individuals. The organization spread into other southern States, and with its extension went also an enlargement of its programme of reform. Almost at the same time

LOGGING IN THE MINNESOTA PINES.

a "National Farmers' Alliance" was established in Illinois which quickly extended its organization into Wisconsin, Minnesota, Iowa, Kansas, and Dakota. Many sorts of reform commended themselves to the leaders of the movement, north and south: chief among them, government control of the means of transportation, the entire divorce of the government from the banks, and a paper currency issued directly to the people on the security of their land,—some escape from the power of the money lenders and of the great railways, and a war upon monopolies. These were vague purposes, and the means of reform proposed showed the thinking of crude and ignorant minds; but politicians felt with evident concern that new, it might be incontrollable, forces had begun to play through the matters they handled, and that it must presently be harder than ever to calculate the fortunes of parties at the polls. They perceived how difficult and delicate a task it must prove to keep the tacit pledges of the protective system

to the manufacturers and give the free capital of the country the proper support of government and yet satisfy the classes now astir in these new associations of laborers and farmers, whose distress was as real as their programmes of reform were visionary.

There was a significance in these new movements which did not lie upon the surface. New questions had become national and were being uncomfortably pressed upon the attention of national party leaders because the attitude of the country towards the national government had been subtly changed by the events of war and reconstruction. The war had not merely roused the spirit of nationality, until then but half conscious, into vivid life and filled every country-side of the North and West with a new ardor for that government which was greater than the government of States, the government upon which the unity and prestige of the nation itself depended. It had also disclosed the real foundations of the Union; had shown them to be laid, not in the constitution, its mere formal structure, but upon deep beds of conviction and sentiment. It was not a theory of lawyers that had won when the southern Confederacy was crushed, but the passionate beliefs of an efficient majority of the nation, to whom the constitution was but a partial expression of the ideals which underlay their common life. While the war lasted the forms of the constitution had been with difficulty observed, had, indeed, again and again given way that the whole force of the nation might run straight and unimpeded to meet the exigencies of the portentous struggle. Mr. Lincoln had wielded an authority known to none of his predecessors. There had been moments when it seemed almost as if all constitutional rules



George Wm Curtis.

GEORGE WILLIAM CURTIS

were suspended and law superseded by force in order that the contest for nationality might not halt or be hindered. And when the war was over the process of reconstruction showed the same method and temper. No scrupulous care was taken to square what was done in the South with the law of the constitution. The will of Congress operated there like that of an absolute parliament, even while the lawyers of the houses who supported the measures of reconstruction were protesting that the States they were handling like provinces were still members of the Union. The internal affairs of the humbled States were altered at the pleasure of the congressional leaders, and yet it was said that they had not been put forth from the pale of the constitution.

It was inevitable that the whole spirit of affairs should be profoundly affected by such events. A revolution had been wrought in the consciousness and point of view of the nation. Parts had shifted and the air had changed. Conceptions were radically altered with regard to Congress, with regard to the guiding and compulsive efficacy of national legislation and the relation of the life of the land to the supremacy of the federal law-making body. A government which had been in its whole spirit federal had, almost of a sudden, become national, alike in method and in point of view. The national spirit which the war had aroused to bring this about had long been a-making. Many a silent force which grew quite unobserved from generation to generation, in quiet times of wholesome peace and mere increase of nature, had been slowly breeding the thoughts which had now sprung so vividly into consciousness. The very growth of the nation, the very

lapse of time and uninterrupted habit of united action, the mere mixture and movement and distribution of populations, the mere accretions of policy, the mere consolidation of interests, had been building and strengthening new tissue of nationality the years through, and drawing links stronger than links of steel about the invisible body of common thought and purpose which is the substance of nations. When the great crisis of secession came men knew at once how their spirits were ruled, men of the South as well as men of the North,—in what institutions, in what conceptions of government their blood was fixed to run; and a great and instant readjustment took place, which was for the South, the minority, practically the readjustment of conquest and fundamental revolution, but which was for the North nothing more than an awakening.

There had been no constitutional forms for such a business. For several years, consequently, Congress had been permitted to do by statute what, under the older conceptions of the federal law, could properly be done only by constitutional amendment. The necessity for that gone by, it was suffered to embody in the constitution what it had already enacted and put into operation as law, not by the free will of the country at large, but by the compulsions of mere force exercised upon a minority whose assent was necessary to the formal completion of its policy. The result restored, practically entire, the forms of the constitution; but not before new methods and irregular, the methods of majorities but not the methods of law, had been openly learned and practised, and learned in a way not likely to be forgotten. It was not merely the economic

changes of a new age, therefore, that inclined laborers and farmers to make programmes of reform which they purposed to carry out through the instrumentality of Congress; it was also this new conception of the supremacy of the federal law-making body, of the potency of all legislation enacted at Washington. The country was turning thither for all sorts of relief, for assistance in all parts of its life.

And yet other changes had come upon the government at Washington which rendered it a less serviceable instrument of use than it had once been. Nothing had become more emphasized during the reconstruction period than the virtual supremacy of the houses over the President in all matters outside the field of war and foreign affairs,—in foreign affairs even, when they chose. No President since General Jackson had been the real leader of his party until Lincoln; and Lincoln's term had made no permanent difference in the practices established since Jackson's day. It had been a time apart. In war the Executive was of course at the front of affairs; Congress but sustained it in the conduct of exigent business which, in the very nature of the case, it could not itself undertake. Parties, too, were silent; the nation had put ordinary questions of policy aside. No man could say how Mr. Lincoln might have ruled the counsels of his party in times of quiet peace. With Mr. Johnson in the presidency, Congress and the Executive had swung violently apart. General Grant had not brought them together. He was no party man and no statesman, had been bred to affairs of another kind, let constructive suggestion alone, made no pretence of political leadership. Under the strong will of Mr. Thaddeus Stevens a real primacy

in affairs had been created for the men who led upon the floor of the houses, and old tendencies had been confirmed.

During the first days of the government, while the old order held and English traditions were still strong, the President had been the central figure in affairs,—partly because delicate questions of foreign policy pressed constantly for solution, partly because the early Presidents were chosen from the ranks of actual party leaders, because of their influence with public men, their hold upon opinion, and their experience in public business. Their messages were of the first consequence in the guidance of legislation and the formation of opinion out-of-doors; their spokesmen and friends usually spoke for the President's party as well as for the President himself on the floor of Congress. Even then, however, there had been signs of a new order coming in. Neither the President nor the members of his cabinet had had access to the floor of Congress since Mr. Jefferson decided not to meet the houses in person, as his predecessors had done. It was the theory of constitutional lawyers that Congress and the Executive were meant to be sharply separated and distinguished in function, in order that each might check and balance the other in ideal accordance with the principles of M. Montesquieu; and there were oftentimes men in the houses whose gifts and impulse of initiative were greater, more efficient, more serviceable than the President's. Mr. Clay had been notable among such men. While he was Speaker of the House of Representatives it became evident that the speakership could easily be made the chief place of power in the management of parties; and so long as he remained

in Congress the whole country knew that he, and no President the Whigs were likely to elect, must be the real leader of his party.

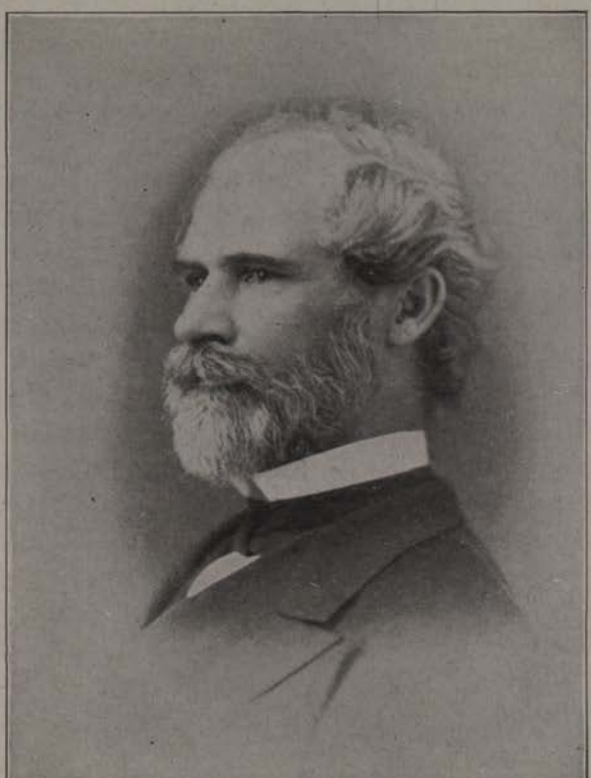
That General Jackson dictated the policy of the Democrats while he was President all the world perceived; but his successors were not men of his stamp. Affairs, moreover, were presently turned from their normal course by the extraordinary pressure of the slavery question. Upon that perplexing matter, so disputable, so full of heat, apparently so impossible of definitive settlement, always holding a crisis at its heart, parties made no confident stand. Definite leadership seemed out of the question, until Mr. Douglas came and brought a revolution on. All things waited upon the slow movement of moral, social, economic forces, upon the migrations of population, upon the insensible shiftings of sentiment, upon change and circumstance. Not until the war came, with issues which needed no definition at the hands of the politician, with tasks which called, not for debate, but for concentration and energy, did the organization of party power in Congress take the shape it was to keep through the next generation,—the new generation which should conduct the war to its close and then attempt to set the policies of peace afoot again. Then, with Congress purged of the southern Democrats and all organized opposition cleared away, the Republican leaders equipped Congress for effective mastery. The Senate, indeed, kept its leisurely rules, still chose its committees by ballot, and declined to put itself under the whip of rigid party discipline as the House did, which seemed to regard itself as meant to be an administrative, not a deliberative body. The House put itself into the hands of its leaders for action.

Its leaders were the chairmen of its principal standing committees and its Speaker. The Speaker appointed the committees. In determining the membership of those which were to handle the chief matters of its business he could determine also the policy they were to urge upon the House. For the House put itself very absolutely into the hands of its committees. Individual initiative told for little against them.

The first Speaker of the war time, Mr. Galusha Grow, of Pennsylvania, was a man cast for the rôle of leader, quick, aggressive, confident alike in opinion and in purpose, a thorough partisan, and yet honest and open and ready for responsibility, a man who would use the committees for mastery; and Mr. Schuyler Colfax, who succeeded him, in the second Congress of the war time, was equally well qualified to keep the management of the House in hand, his good nature and easy tact being as influential as his confident initiative in keeping legislation to the paths he had marked out. Both men acted in close co-operation with Mr. Stevens and the other chief masters of the majority upon the floor. The conferences of a few men decided always what the composition of committees should be, the course of legislative action, the time and part allotted to debate. The necessity for action was constantly pressing upon Congress throughout those anxious years; no man ventured to stand long in the way of the public business; and by the time the war was over the House had been converted into a most efficient instrument of party rule. Mr. Johnson learned what its mastery was, how spirited, how irresistible; General Grant looked to its leaders for initiative in affairs. The Speaker and the little group of party managers drawn

about him for counsel were henceforth to be in no small part the framers of the policy of the government.

The change was for a long time not observed by the



GALUSHA AARON GROW

country at large, because the two parties offset each other in the houses and neither could take entire command of affairs. For fourteen years (1876–1890) neither party during any one session controlled both the houses

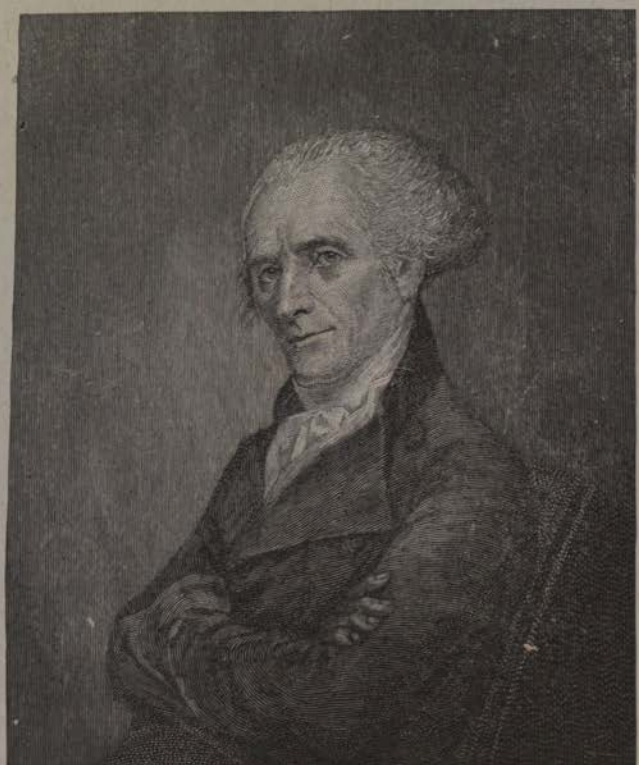
and the presidency, except for a brief space of two years (1881–1883) when the Republicans, with a Republican President in the chair, had, by the use of the Vice President's casting vote in the Senate, a majority of a single vote in each house. So scant a margin was not a margin of power, and the Speaker happened for the nonce to be of the older type, not cast for leadership.

That long deadlock of the houses was of much more serious consequence than the mere postponement of a full application of the new methods of party leadership and legislative management. So long as it lasted no change could be made in the laws passed in support of Republican supremacy and negro suffrage in the South. The country had turned away from the Republicans, as the elections to the House showed afresh every two years, but the majority of the nation and the majority of the States were by no means one and the same, and the Senate came only for a little while into the hands of the Democrats, while a Republican President was in the chair. Democratic majorities, accordingly, did not avail to repeal the "Force Acts" and the federal law for the supervision of elections which put the southern political leaders in danger of the federal courts and kept men of the President's appointment at the polls in the South to act in behalf of the negroes and the Republican managers. Though the white men of the South were at last in control of their state governments, federal law still held them off from excluding negroes from the exercise of the suffrage by any fair or open method which should set aside without breach of law what reconstruction had done. They were driven, if the incubus of that ignorant and hostile vote was to be lifted from their affairs, to

resort to covert, tricky, fraudulent means which brought their own deep demoralization.

Every device known to politicians, every plan that could be hit upon that politicians had never before been driven to resort to, was made use of to reduce or nullify the negro vote. It was a great advantage to the men who had regained their power in the South that the whole machinery of elections, at least, was again in their hands. They had never before made such use of it. The older traditions that surrounded the use of the ballot in the South were of the most honorable sort. But the poison of the reconstruction system had done its work,—no man any longer found it hard to learn methods of mastery which were not the methods of law or honor or fair play. The new election officers found many excuses for rejecting or ignoring the negroes' voting papers. Voting places were often fixed at points so remote from the centres of population that only a small proportion of the negroes could reach them during the hours for voting; or were changed without notice so that only the white voters who had been informed could find them readily. In some cases separate ballot boxes were used for the several offices to be filled at the elections, so lettered that the illiterate negroes distinguished them with difficulty and so shifted in their order from time to time that the sequence in which they stood was constantly being changed, and no vote was counted which was not put into the right box. In districts where the negroes mustered in unusual numbers too few voting places were provided, and the voters were prevented from casting their ballots rapidly by premeditated delays of all sorts, so that the full vote of the district could not be cast.

The southern legislatures hastened to adopt the device long ago originated by Mr. Gerry, of Massachusetts, and so divided the voting districts of the States as to seg-



Elbridge Gerry ELBRIDGE GERRY

regate the negroes within a few districts, whimsically drawn upon the map in such a way as to seek out and include the regions in which they were chiefly massed. The "shoe-string district" contrived by the law-makers of Mississippi, which ran its devious way across the

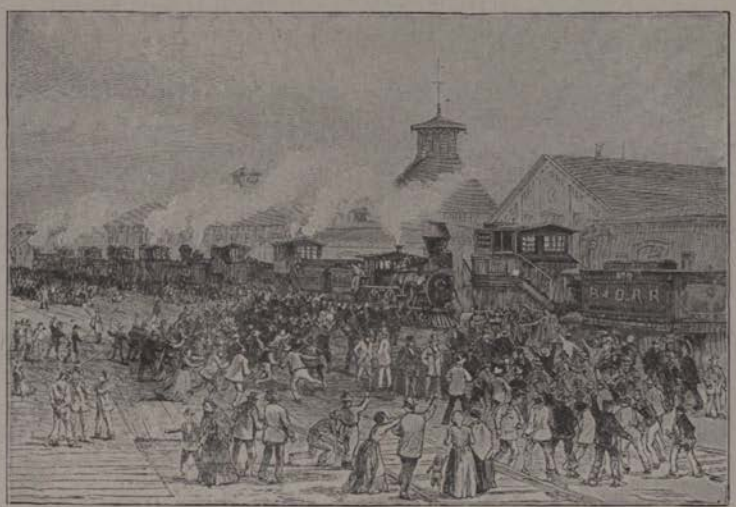
State for three hundred miles with a width of but twenty, became known the country over as a type of what was being done to cut the negroes off from political power in the South. Where such shifts and expedients failed of their desired result or could not be made use of actual fraud was practised. The less scrupulous partisans of the white party managers folded tissue ballots within their regular voting papers and overcame the negro majority by multiple voting. Dissuasion, too, and all the less noticeable means of intimidation, played their quiet part the while in keeping the negroes away from the polls, and the negro vote fell off by the thousand. There was presently nothing left of the one-time party organization of the Republicans in the South except that the federal office holders appointed by Republican Presidents still essayed to play an influential part among the negroes, and hold them to their party allegiance.

Slowly cases tried under the various Enforcement Acts which had been meant to secure the negroes against interference and intimidation in the exercise of their civil rights crept up, by appeal, to the Supreme Court of the United States and began one by one to be reached on its interminable docket; and in each case the court declared the powers Congress had assumed in those Acts clearly incompatible with the constitution. The right of the negroes to assemble and to bear arms, for example, which Congress had sought to protect and which southern white men had repeatedly interfered with, was a right which they enjoyed, the court declared, as citizens of the States, not as citizens of the United States, and it was not competent for Congress or the federal courts to punish individuals who interfered

with it. The power conferred upon Congress by the Thirteenth, Fourteenth, and Fifteenth Amendments, to secure the negroes equality of civil rights with the whites, was, it decided, a power given to be exercised in restraint of the States, not against individuals, as the Act against the "conspiracies" of the Ku Klux had used it, and the States, not the federal government, must punish those who sought to destroy that equality. The legislation which General Grant had put so energetically into execution was unconstitutional and void. But it was 1882 before that sweeping conclusion was reached; the Acts had been executed long ago and their consequences were complete. Only the thought of constitutional lawyers and the course to be pursued by the federal government for the future were cleared by the belated decisions.

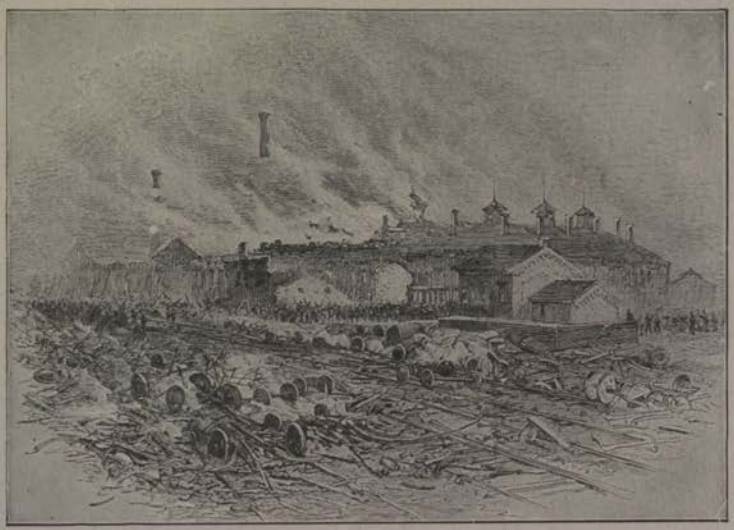
More and more the attention of the country, and even of politicians, was being drawn away from the South to the forces of change which were playing through the whole nation, to the determination alike of policy and of party fortunes. The four years of Mr. Hayes's term in the presidency, with their restful discontinuance of party legislation, afforded not only a time of calm in which thoughtful men could look about them, but also a clear stage upon which it quickly became evident that new scenes were being set. It was significant that the first summer of Mr. Hayes's reign of peace was marked by labor disturbances of a magnitude and difficulty hitherto unknown in America. On the 14th of July, 1877, strikes began among the employees of the Baltimore and Ohio, the Pennsylvania, the Erie, and the New York Central railways, the chief trunk lines between East and West, which for a time assumed al-

most the proportions of an armed insurrection. Thousands of miners at the coal mines of Pennsylvania left their work along with the railway men, until there were presently, it might be, a hundred thousand men not only idle but bent upon mischief also, determined to hold the business of the railways at a standstill and prevent at all hazards the employment of others in



BLOCKADE OF ENGINES AT MARTINSBURG, VIRGINIA

their places. Not until troops of the United States had been called out to aid the militia of the States was order restored and the property of the railway companies secured against pillage and destruction. Railway traffic had been held still in a sort of paralysis for two long weeks; property whose value was estimated at ten million dollars had been destroyed; and the country had been given a startling demonstration of the power of the labor organizations



BURNING OF THE ROUND HOUSE AT PITTSBURG, PENNSYLVANIA

Such outbreaks were undoubtedly a sign of the times and showed very plainly the new, unregulated economic forces which were in a future near at hand to exercise a potent influence on politics and the plans of parties. But they were at least gross, tangible, susceptible of being handled by counter force and sheer authority. There were subtler economic forces than these at work, harder to handle, more to be feared. Ideas were rapidly gaining ground in the ranks of all parties which seemed likely, if unchecked, to break party lines athwart in novel confusion and turn the government away from some of its oldest, best established lines of policy. They chiefly concerned the currency. Congress had met the extraordinary expenses of the war by measures which had in fact revolutionized the traditional financial policy of the government. Taxes had not yielded

enough, loans could not be had fast enough, and early in 1862 it had begun the issue of notes from the Treasury of the United States which were for the time irredeemable, but which were nevertheless made legal tender in the payment of debts. Late in 1861 (December 28th) the banks of the country had suspended specie payments. The paper of the government became almost the only currency, and its bulk rose steadily from million to million. War and the depreciation of the currency brought in their train an inflation of prices. Farmers had been getting little profit from their crops when the war began. The cost of transporting them to market over the railways had lifted the cost of their production quite to the level of what the merchants would give for them. Many planters used their corn for fuel. But the war made grain exceedingly valuable. The purchases of the government alone changed the whole face of the market. Money was once more easy to get, the paper money of the Treasury, and could be used at its face value as well as gold itself to pay the mortgages off which the older time of stress had piled up. The "greenbacks" of the government became for the agricultural regions of the North and West a symbol of prosperity.

Conservative constitutional lawyers had doubted from the first the legality of these issues. Every serious student of the times in which the constitution had been framed, and of the dominant motives of its framers, was convinced that one of the chief objects of the statesmen who led the convention of 1787 had been to put government in America once for all upon a solid footing of sound financial policy. The constitution explicitly forbade the issue of paper money by the States,

and the right to issue it was not to be found among the enumerated powers granted to Congress. It was known to have been intentionally omitted; and in 1869 the Supreme Court had decided that the treasury issues of the war time were, as legal tender, unconstitutional and void. For a little while it had looked as if the law of the constitution was to be made a permanent bar to financial experiment. But the decision of the court had been reached by only a single vote, changes in its *personnel* occurred almost immediately, and in 1870 the decision was reversed. Congress was at liberty to make what experiments it pleased.

Thoughtful public men saw, nevertheless, that the business interests of the country rendered it imperative that by statute, if not by constitutional compulsion, specie payments should be resumed by the government, the redundant currency of the country contracted, and money transactions put once more upon foundations that would hold fast. Gold had been made the single standard of value in the United States by an Act of Congress passed in 1853. That Act had said nothing about the silver dollar of the earlier coinage, because it had in fact passed out of circulation. The Act of 1873 had simply recognized that fact and dropped the 412½ grain silver dollar from the list of coins. An Act of January 14, 1875,[1] had provided for the resumption of specie payments by the government on the 1st of January, 1879. Every promise of the government was on and after that date to be redeemable in gold. By 1876 an extraordinary fall had taken place in the value of silver. It had been coming in augmented quantities from the mines; Germany and even the states of the Latin Union, associated by treaty for the ex-

[1] See page 189.

press purpose of maintaining a stable ratio between gold and silver in their exchanges, had suspended the coinage of silver; the demand for it had greatly fallen off at the very time that its quantity had increased, and the price of silver bullion fell as it had never fallen before. The real functions of money, the real laws of its value, the real standards of its serviceability, its real relations to trade and to industry have always been hidden from the minds of men whose thought in such matters has not been trained by the actual experiences of the open markets of the world, in actual exchange, or in the actual direction of the financial operations of governments. The coincidence of high prices and eager markets with floods of paper poured from the Treasury of the United States, coupled with the indisputable fact that the return to slacker demand, lower prices, and a greater scarcity of money had been accompanied by a considerable contraction of the redundant currency and by laws which were soon to bring about a return to specie payments, a turning back from "cheap" money to "dear," confused the thinking even of some men who had long been in contact with public affairs; and those who could not go quite the length of the "Greenbackers" turned to silver for relief.

Gold was not abundant enough, they said, to serve as the sole basis of the country's expanding business, get the farmers' crops to market, or settle the varied balances of trade. Silver was both cheaper and more abundant. The obligations of the United States had been made payable "in coin"; why must they be paid in the dearest of coins? Why could they not be paid in the old silver dollar of 412½ grains, until 1873 the undisputed standard silver dollar of the national coin-

age? It was in part the suggestion of the owners of the silver mines of Colorado and Nevada, no doubt, who had influential spokesmen in Congress; but they alone could have created no determining opinion in the matter. The real force of the sentiment came from the uneasy economic conditions of the country. The farmers found themselves at the mercy of the railways in getting their crops to market; prices had fallen; money was not easy to get as it had happened to be when abundant issues of paper came pouring every month from the government's treasury; the gold which Congress had sought to make the sole basis of the country's business was in the hands of the great eastern bankers; the railways were in the hands of the capitalists of the East, whom the bankers served. If the bankers set themselves against every proposition to provide an irredeemable paper currency again or even a fresh coinage of silver, there was the more reason to believe that paper or silver was the only real "people's" money. The sentiment grew within Congress and without and concentrated itself upon the question of a silver coinage. Reason had not established it and reason could not check or dislodge it. It took hold upon Republicans and Democrats alike, and within a year of Mr. Hayes's accession to the presidency had won majorities in both houses which were large enough to override the President's veto.

Mr. Bland, of Missouri, introduced in the House a bill which provided for the free and unlimited coinage of silver into standard dollars of 412½ grains at the mints of the United States at the pleasure of those who presented silver bullion which they wished so converted. The finance committee of the Senate, under the leader-

ship of Senator Allison, of Iowa. when the bill reached them, substituted for it a measure which provided for the monthly purchase by the Treasury of not less than two million dollars' worth of silver bullion and its coinage into standard silver dollars which should be legal tender, without restriction of amount, in the payment of all debts. The Secretary of the Treasury was authorized at his discretion to expend as much as four millions monthly for the purpose. The House accepted the measure which Mr. Allison's committee had substituted for its own. Mr. Hayes vetoed it, but the houses passed it over his veto, February 28, 1878.[1] The majority for it was as decisive in the Republican Senate as in the Democratic House. Specie payments were resumed on the 1st of January, 1879, as the Act of 1875 directed, but silver had been added to gold. The Secretary of the Treasury made his purchases of silver bullion at its market value in gold, of course; its price fell in spite of the Bland-Allison Act, because it was governed, as every man of experience in such matters knew it must be, by influences as wide as the markets of the world; and the monthly coinage steadily yielded more than two million

RICHARD P. BLAND

[1] See page 193.

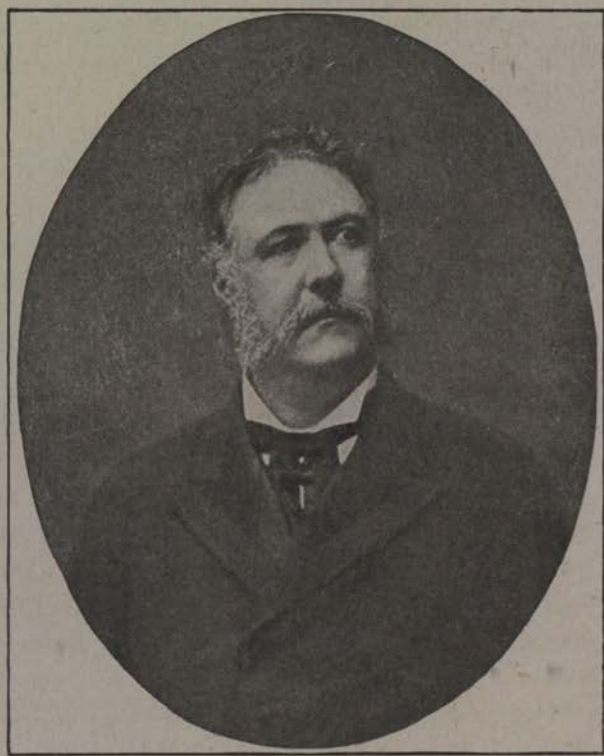
coined dollars of the fineness prescribed by Congress, though the Secretary of the Treasury confined himself always to the expenditure of the minimum sum

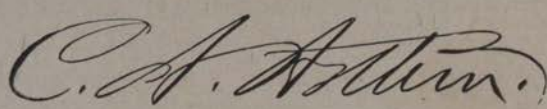
W B Allison WILLIAM B. ALLISON

fixed by the Act. Not many of the coined dollars themselves got into the currents of trade. The Act had authorized the Secretary to issue certificates in their place to those who did not wish the actual silver, and

the coins steadily accumulated in the vaults of the Treasury, some thirty millions a year.

This was the only legislation of importance, apart from the routine business of the government, that a Republican Senate and a Democratic House could agree upon. All party purposes of necessity stood in abeyance. Mr. Hayes had as little political authority as Mr. Johnson had had. He had been chosen, as Mr. Franklin Pierce had been twenty-five years before, from outside the ranks of the authoritative leaders of his party. He had no real hold upon the country. His amiable character, his lack of party heat, his conciliatory attitude towards the South alienated rather than attracted the members of his party in Congress. They had been accustomed to see the fight forced for coercion and supremacy in the South, as for the execution of every other party purpose, and the zest for strong measures was still upon them. The President, besides, would not listen to them in matters of appointment to office, as General Grant had listened, to his undoing, but went calmly about to have his own way in dispensing the patronage. The Democrats did not like him because he seemed to them incapable of frank, consistent action. He withdrew the troops from the southern States to let politics there take their normal course, and yet he appointed the one-time members of the discredited returning boards to federal offices, as if to console them for their loss of power. He was not aggressive enough to draw a party of his own about him, and yet he had a character too firm, too self-respecting, too deeply touched with a sense of individual responsibility to accept advice which his own judgment did not approve. He went his own course and kept affairs at their quiet





CHESTER ALAN ARTHUR

poise, awaiting a change of weather. The second Congress of his term was Democratic in both branches and made trial of every expedient known to parliamentary strategy to force upon him a repeal of the statutes which gave federal supervisors and marshals powers of oversight and arrest at the southern polls; but the President was too stout a partisan to consent and stood fast against them. All things stood as they were until the elections should come again.

Mr. Hayes was not nominated for a second term. Determined efforts were made in the Republican nominating convention, which met June 5, 1880, at Chicago, to nominate General Grant again and return to the party's old régime; but they were defeated, and Mr. James A. Garfield, of Ohio, was named as the party's new candidate for the presidency, Mr. Chester A. Arthur, of New York, as its candidate for the vice presidency. Neither of the candidates could claim especial eminence. Mr. Garfield had won high rank and enviable distinction as an officer of volunteers in the war, had become a member of the House when the struggle had but just passed its central crisis at Gettysburg, and had served continuously there until chosen a senator of the United States in the very year of his nomination for the presidency, without making himself felt except for his attractive personality, his serviceable confidence and courage as a parliamentary leader, and his power as an orator. But he stood within the intimate counsels of his party as Mr. Hayes did not. Mr. Arthur had been collector of the port of New York, but had stood for the most part aside from national politics, a lawyer and managing servant of his party within the State rather than a conspicuous figure in its general counsels.

WINFIELD SCOTT HANCOCK

They were not men to catch the enthusiasm of the country. But the party that was back of them had gathered again some of its old momentum; the Democrats had no policy to propose which seemed vital or of the new age

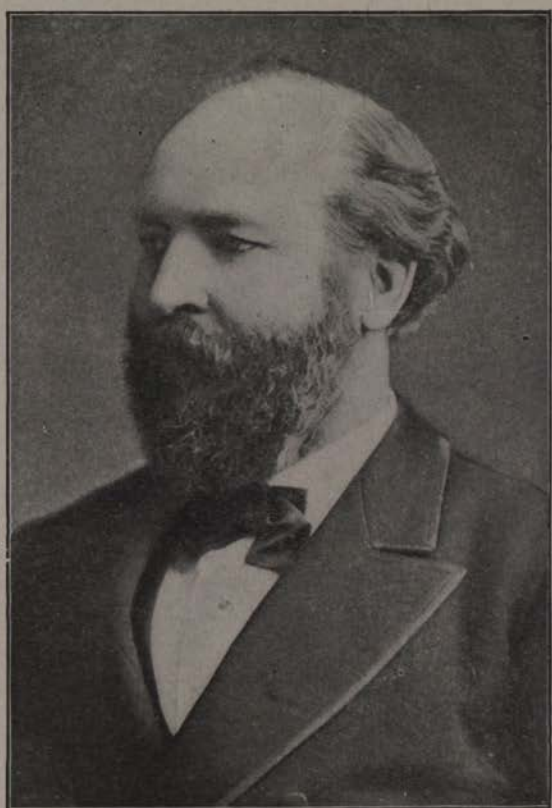
WILLIAM H. ENGLISH

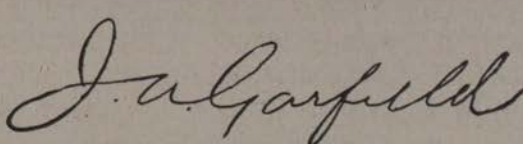
that had come in, and presented as their candidates only an attractive soldier, General Winfield Scott Hancock, and Mr. William H. English, a successful business man of Indiana, who had been no politician since Kansas was admitted to the Union. Though the Democratic

voters mustered strong at every polling place and fell but a little more than nine thousand behind the Republicans in a total vote of more than nine millions, they carried no States north of Mason and Dixon's line except New Jersey, Maryland, California, and Nevada, and Mr. Garfield was chosen President by a majority of fifty-nine in the electoral college (214–155).

The only note of new questions sounded in the campaign came from the convention of the "Greenback-Labor Party," in which reformers of the more radical sort had united. It had declared, turning to what seemed for the moment the chief question of the day, that "all money, whether metallic or paper, should be issued and its volume controlled by the government, and not by or through banking corporations, and, when so issued, should be full legal tender for all debts, public and private." It had demanded that the greenback notes of the war time "should be substituted for the notes of the national banks, the national banking system abolished, and the unlimited coinage of silver, as well as gold, established by law." But for the present the country preferred to make choice, not among new parties, but between the old, which it knew, and the programme of the new party got but a few more than three hundred thousand votes out of the nine millions cast. The Democrats not only failed to get the presidency but also lost their majorities both in the House and in the Senate, though by a margin so slender that the Republicans were to find that they could make little confident or aggressive use of their advantage.

The transition from Mr. Hayes to Mr. Garfield seemed but a natural exchange of a man who did not lead for a man who had a real hold on the affections and the

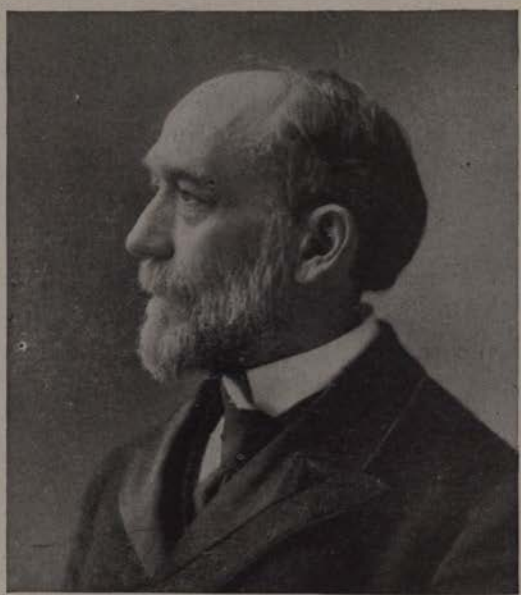




JAMES ABRAM GARFIELD

allegiance of his party and could stand at its front to make policy; but it had scarcely been made when the air seemed to fill with ominous signs of sinister disquiet. The poisonous influences which had long been gathering about the system of appointments to office, the spirit of intrigue and of personal aggrandizement, the insistent scheming and dictation of members of the houses to force their preferences and the arguments of their private interest upon the acceptance of the President, the brazen, indecent clamor of the meaner sort of partisans for preferment, seemed of a sudden to work with fatal violence upon affairs. Mr. Garfield asserted a will of his own in the matter, and the two senators from New York, Mr. Roscoe Conkling and Mr. Thomas Collier Platt, resigned their seats, as if upon some weighty quarrel in matters of state, because he would not heed their wishes and choose their nominee in naming a collector for the port of New York. Office seekers swarmed about the President with quite unwonted arrogance, and before he had been four months in his uneasy place of authority one of the crowding throng whom he had disappointed wreaked foul vengeance upon him. On the morning of the 2d of July, 1881, as he passed through a railway station at Washington on his way to the seaside to seek a much needed respite from the harassments of those first months of bitter wrangle and discord, he was shot by Charles Jules Guiteau, a man maddened by disappointed vanity because he had not obtained the office he sought. For eighty days the President lingered between life and death, but death conquered, and on the 19th of September the end came. On the 20th Mr. Arthur took the oath as President.

Thoughtful men had looked about them, the while, to see what this new and sinister thing meant. Some part of its explanation lay upon the surface. It might, no doubt, fairly be ascribed, in part at least, to the sharp factional split that had shown itself in the Republican



THOMAS COLLIER PLATT

ranks in the convention which had nominated Mr. Garfield. The "stalwarts" of the party, whom Mr. Conkling had led, and who had fought desperately in the convention to secure the renomination of General Grant, were of the older temper of the party, had hated Mr. Hayes very cordially for his mildness and lack of partisan vigor, and were bent upon carrying Republicans

back to the methods which others saw had discredited them in their day of power. They had been defeated by the "halfbreeds" of the convention, as they contemptuously designated their opponents within the party, and Mr. Garfield was in their eyes the representative of the halfbreeds. Mr. Conkling had supported him in the campaign, despite his feeling of personal defeat, and Mr. Conkling's friends felt sure that his eloquence and personal influence had availed as nothing else could have availed to keep the State of New York to its allegiance to the Republicans in the election. His generosity in that matter they deemed worthy of reward. But Mr. Garfield would yield him no special consideration; and, because the President held himself resolutely at a balance as between faction and faction in his use of the patronage and pointedly ignored the wish of the stalwarts in his appointment to the collectorship of the port of New York, Mr. Conkling had flung out of the Senate and appealed to the legislature of New York for re-election, as a demonstration of power against the President. He had failed. The legislature would not so rebuke the President. But factional bitterness had been wrought to the highest pitch, and the tragedy of the President's death seemed to the country an object lesson in its consequences.

The attention of the country was fixed at last, with painful intensity of interest, upon the character and influence of the civil service. Not a little of the true nature of the existing system of appointments to office had been laid bare by Mr. Conkling's extraordinary act of self-assertion. The use of appointments as rewards for party services did not, it seemed, bind partisans together, after all, as the advocates of the spoils

system claimed, or compact and discipline parties for aggressive and successful action. Worked out through its detail of local bosses, senatorial and congressional "influence," personal favors, the placating of enemies and the full satisfaction of friends, it must always men-

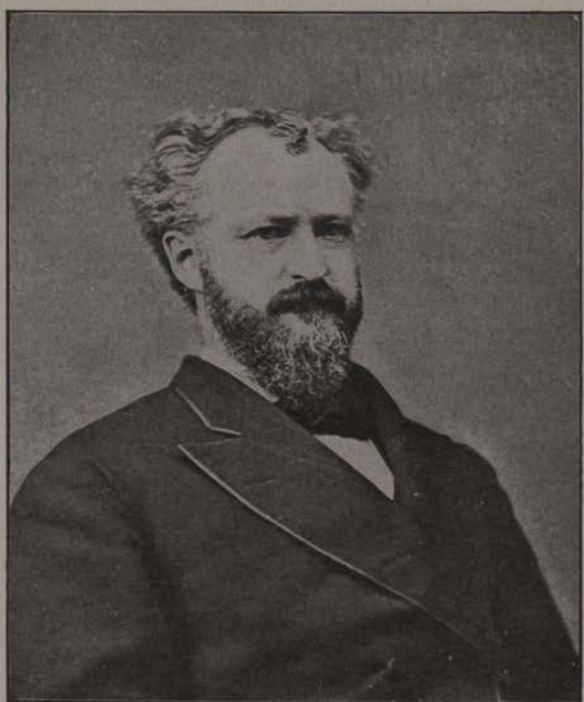
CHARLES JULES GUITEAU

ace the successful party itself with factional disruption. Guiteau, the assassin, had said that he fired his shots for the "stalwarts," that Mr. Arthur, their friend, might be President; and those murderous shots still rang in the ear of the country like a startling confirmation of all that the advocates of civil service reform had said. Congressmen saw opinion at last set steadily, irresistibly

towards radical measures of reformation, with a force and certainty it had never shown before, and Democrats and Republicans found one more question upon which, opinion beating upon them as it did, they must agree. In August, 1881, while the President lay dying, various local associations which had been formed to agitate the question of the reform of the civil service were drawn together, in a meeting held at Newport, Rhode Island, into a National Civil Service Reform League, whose first act was to express its hearty approbation of a bill for the reform of the service which Mr. Pendleton, of Ohio, had introduced the preceding year in the Senate.

The bill would no doubt have lain almost unnoticed on the docket of the Senate had not Mr. Conkling's arrogance and Guiteau's madness of bitter passion disposed all the country to consider what must be done. Mr. Pendleton was a Democrat, but he spoke only for himself and for other men of like conviction in the matter, not for his party, in the bill in which he proposed a return to the system of competitive appointments which Congress had authorized in 1872 and abandoned in 1874. Neither did he speak for the party in power, who regarded such a measure as a mere curtailment of its political influence. Even the tragedy of 1881 did not shake the politicians from their stubborn hostility. For almost two years the bill lingered and made no progress, despite the unmistakable evidences of opinion out-of-doors. But the elections of 1882 sufficed to bring it to life. In the Congress chosen in 1880 the Republicans predominated, by a bare majority, too small to use, in both houses. But the elections of 1882 put into the House a Democratic majority of more than

eighty and aroused the Republicans to a sudden sense of their responsibility to the public opinion of the country. The Senate, changing by States, not by the sweep of the popular vote, remained in their hands; their ma-



ROSCOE CONKLING

jority there was even increased. In the existing Senate they had had to rely on the casting vote of the Vice President for their majority; in the new Senate they were to command a serviceable majority of four. But they read the signs of the weather with as keen an ap-

prehension as if they had lost both Senate and House. The Democrats, on their part, were ready to enhance their growing credit with the country by showing themselves willing advocates of reform. On the 6th of January, 1883, accordingly, before the new Congress met, the Pendleton bill passed both houses by large majorities, almost as if without serious dissent; and Mr. Arthur signed it at once with hearty approval.[1]

It provided for appointments to office by competitive examination and for the constitution of a Civil Service Commission which should be charged with the execution of its provisions, the establishment of proper tests, the conduct of examinations, and the careful enforcement of the rules of eligibility. It did not include all classes of the civil service, but it at least took rank and file, all clerical offices and all offices not of special trust and confidence, out of the reach of the politicians, and began a reform which the President could, under the terms of the Act itself, extend at his pleasure. Mr. Arthur sought to have it administered efficiently and in thorough good faith, for it had his sincere approval. He had shown from the first a dignity, a tact, a firmness, a sense of public duty in the administration of the great office so unexpectedly thrust upon him which had filled the country not less with surprise than with deep satisfaction. His selection by the Republicans for the vice presidency had given even stout partisans uncomfortable misgivings. He had been known in New York as of the group of office-holding politicians rather than as a man devoted to the larger kind of public service; his company had been that of the petty managers of the party's local interests, more interested in patronage than in public questions, a "stalwart" who took his

[1] See page 200.

cue from larger men. But the presidency brought his finer qualities to light. His messages and state papers read like the productions of a man of unusual capacity, information, and literary power. He seemed to make his chief appointments with a view to the efficiency of the public service rather than with a view to political advantage. He dealt with the bills sent to him by Congress in a way that lacked neither courage nor discrimination. Faction was quieted and the course of affairs ran cool again, with an air in which men could think.

There was need for dispassionate thinking. Each year disclosed more clearly than the year which had preceded it the altered temper of the times, the questions of industrial development, of the relations between capital and labor, of tariff readjustment, and of currency reform which must take precedence of the older questions of politics, of constitutional privilege and civil rights, which had cut the former lines of cleavage between parties. The tariff duties which had been adjusted to the conditions and financial necessities of the war time were now piling up in the Treasury balances too large to be used. Obviously something must be done to ease the country of the unnecessary burden. Democrats and Republicans could not easily agree upon such a question. It was an old question in a new guise and had always separated Democrats from the Whigs from whom Republicans took their traditions in such a matter. The first approaches to reform were made very slowly, therefore, very guardedly, with a handsome show of careful consideration but very little show of action. In the winter of 1881–1882 a commission was appointed to travel through the country and take testimony with regard no less to the local

than to the national conditions of trade and industry, for the purpose of supplying Congress with trustworthy data upon which to act in reducing the duties. Its report was in due course made, and an Act was passed which effected a reduction of duties which was in substantial accord with its recommendations. But the majority of the commission had been made up of stout protectionists, and the changes in the tariff which it recommended made little difference either in the revenues or in the incidence of taxation.

It began to be plainly evident, moreover, that the tariff question was but a part of that general question of the development of trade and industry which year by year grew so various, so complex, so difficult to set justly apart in its elements. The country was undoubtedly prosperous. The South, especially, was showing how it could respond to the economic stimulation of the time, to the general development of the resources of the country, now that its corrupt governments, with their negro majorities, were lifted from its shoulders. But the very expansion of industry, the very growth and cumulative productiveness of capital made difficulties of their own,—difficulties novel, unlooked for, in the handling of which statesmen were without experience or precedent and even men of business without standards of judgment. Capitalists were effecting a novel concentration of their power, through corporate association, through united lines of railway, through extensive combinations in industrial undertakings which created a sort of league to control both the output and the prices. And laborers, finding that they had to deal no longer with individual employers, but with powerful groups of men whom they never

ON A TRANSCONTINENTAL OBSERVATION CAR

saw and could speak with only through their agents, themselves drew together in leagues, larger than the old trades unions, in order that workingmen as well as employers might wield the power of wide combination. Even laborers of different occupations drew together. So long ago as 1869 a society had been formed in Philadelphia, upon the initiative of a sagacious tailor, one Uriah Stevens, to unite workingmen of different occupations for their mutual benefit and protection, not only in respect of their relations with their employers, but also in respect of their relations with one another and the general advancement of their interests. Before statesmen saw what new questions were before them it had grown into a "Noble Order of Knights of Labor," whose membership was numbered in figures which exceeded one hundred thousand. A new economic force had come upon the field.

Financial disaster, a time of sharp stringency when men looked to their investments, regretted their loans, questioned every adventure of business, and stood dismayed to see the prosperity of the country of a sudden checked, it might be destroyed, added its thrill of excitement and of apprehension to bring the thought of the country to an imperative reckoning upon economic questions. As in 1873, so again now it was the too rapid development of railways, their too desperate competition for earnings which were at best insufficient to support them, and the reckless speculation of those who dealt in their stocks that brought the sudden contraction of values on, and then panic and ruin. The country was growing very rapidly alike in population and in the increase of wealth and the multiplication of resources. The census taken in 1880 had shown that

the population had, within the preceding ten years, increased more than thirty *per cent.*, from 38,558,371 to 50,155,783. It was estimated that the actual wealth of the country had within the same period increased quite forty-five *per cent.*, from $30,068,518,507 to $43,642,000,000. Nothing had lagged. Agriculture, manufactures, commerce, the products of the mines and of every industry that added to the resources of the country and made it rich and quick with energy showed a sound and wholesome growth commensurate with crowding numbers and the zest of hopeful enterprise. But the construction of railways had outrun all reason in the attempt to keep pace with the country's growth. The total railway mileage of the United States had been increased from 52,914 to 93,671 within the decade. New lines had bid against the old for patronage by sharp reductions in the rates of carriage; rates had fallen below the actual cost of the service; and while ruinous competition cut away profits, speculation in railway securities in the stock market completed the mischief. That speculation had reached its highest point of reckless adventure in 1880. After that the prices of railway securities began to decline, at first only a little, then very sharply, and in May, 1884, the inevitable crash came. As usual, some firms upon the Street suffered not only ruin but dishonor also, among the rest the firm of Grant and Ward, in which General Grant had been a silent partner. He had known nothing of the dishonorable transactions of his partners, but the disgrace and ruin in which they involved him touched his last days with humiliation and with a deep sadness which he could not shake off. Unscrupulous men had played upon him in business as they had played upon him in poli-

tics, and men's minds went always backwards to find his time of glory.

Financial crisis did not, of course, touch the real resources of the country; its business went forward without fatal embarrassment, and those who took the large view of affairs perceived that its prosperity was not in fact seriously checked by what had happened in Wall Street. But Wall Street was, none the less, the seat of credit, and acute disturbances in its market could not go by without consequences which all the country felt. Business could not, for a little while, move with as confident a spirit as before. It was evident, too, that in undertakings both great and small the friction between laborers and employers grew, not less, but greater, as if some unwholesome influence were at work to clog the productive processes of the time. Workingmen promptly adapted to their own use against employers the "boycott" which Irish agitators had originated to work the ruin of those who opposed their radical programmes of social and political reform or who stood out for the privileges of the hated land owners. Individuals or companies who would not yield to the dictation of the labor organizations in any matter, whether of employment, wages, or hours of work, they sought to cut off from all patronage and business by terrorizing all who dealt with them or approached their places of business; and the courts were forced to execute, sometimes very harshly, the law against conspiracy, fitting formulas originated in an age gone by to circumstances more difficult to form their judgments upon than any a past age had produced. It added a little, too, to the sense of disquietude created by the crisis in the money market and the chronic disorders of in-

dustry that unprecedented and disastrous floods occurred, in the summer of 1884, in the valley of the Ohio, breeding distresses and tumults in the city of Cincinnati which put the place for six days together almost at the mercy of mobs.

The country got from every quarter a disquieting sense of lax government, deranged business, bad management in affairs, and the dissatisfaction and anxiety which such impressions produced inevitably operated to discredit the party in power. Some radical change in leadership began to seem desirable. Opinion more and more wearied of the stale grounds of preference upon which parties and candidates were chosen at the polls. The Republicans had held the presidency ever since the war, and both houses of Congress until 1875, not because they met new questions with new policy, but because, in a day now gone by, they had been the party of the Union and had saved it. Tenure of power through a whole generation, as if by prescriptive right, had worked its own demoralization, as was inevitable among men who made no new plans and had no new impulse of reform. Mr. Hayes had been upright, public spirited, inclined to serve the country unselfishly and in the interest of sound policy; Mr. Arthur had come out of the unpromising ranks of office holders and local party managers and yet had shown himself a man of elevated ideals in administration; but observant lookers on got the impression, none the less, that the lax morals and questionable practices of General Grant's day were still to be found beneath the surface of the public business at Washington. Men everywhere believed that the fibre of the party in power was relaxed and that new blood must somehow be got into the govern-

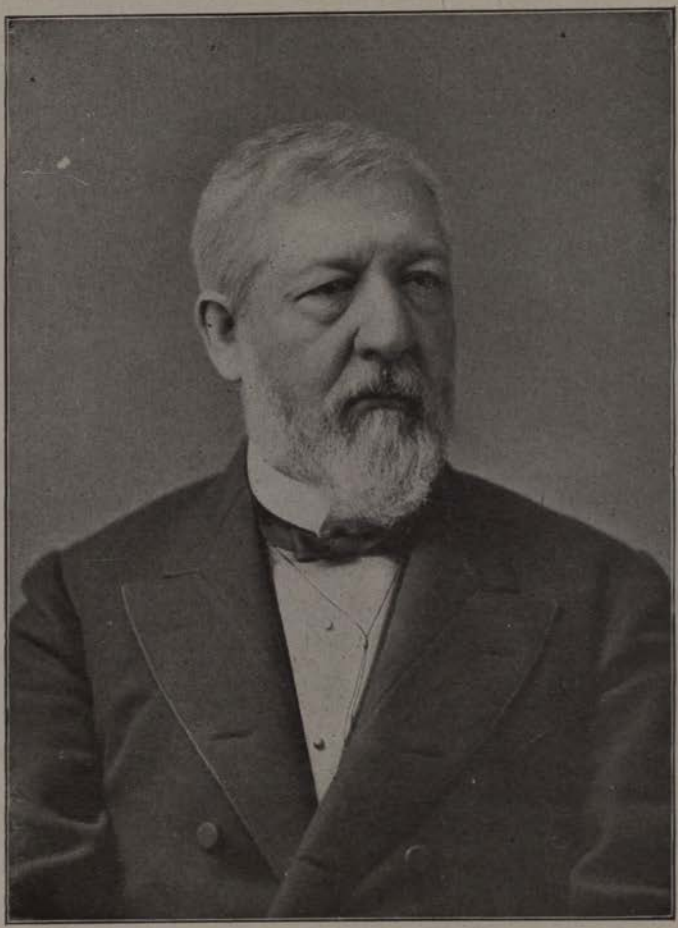
ment before it could be made secure against the bad methods and the vicious standards of action which had got possession of it. It was not an issue as between parties that was shaping itself in the public mind, but rather a desire to choose new men, whichever party should prove ready to supply them,—the newer, the less identified with the party policies of the generation then passing away, the better. Upon that desire the presidential campaign of 1884 turned. Had the Republicans named a man of such qualities as to make the country feel sure of him as an instrument of integrity and sensible rectification in public affairs, no doubt he would have been chosen President; but they did not name such a man. The Democrats did, and won. Mr. Grover Cleveland, whom the Democratic convention put forward, was a new man in the field of national politics, but had proved his quality in public service in the State of New York in a way which had, within the past two or three years, attracted the attention of the whole country. Twenty years before, when he was but a youth of twenty-six, he had been chosen district attorney for the city of Buffalo (1863); in 1871 he had been made sheriff of his county, and ten years later mayor of Buffalo; in 1882 he became governor of the State. In that year the tide of popular reaction against the Republicans had run very strong, and Pennsylvania and Massachusetts, as well as New York, had preferred Democratic to Republican governors; but the reaction had been more marked and extraordinary in New York than anywhere else. In 1880, the year Mr. Garfield was chosen President, the Republicans had carried New York by a safe margin of more than 21,000 votes; and yet in 1882, but two years later, Mr. Cleveland had

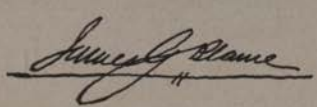
been preferred to an unimpeachable opponent by a plurality of 190,000.

He was of the open and downright sort that all men who love strength must always relish. Business men felt that they could trust him because he had had business of his own to manage as a lawyer of assured and increasing practice and knew the business interests of the State and meant to guard them. Plain men instinctively trusted him, because they felt sure that they understood him, seeing that he was no subtile politician but a man without sophistication like themselves. He had early been drawn into politics and had followed it with a wholesome relish, finding zest in its comradeships with men of action and resource, men of quick wits and ready expedients, as well as in the sense of action and of service which it brought into his own life. A long apprenticeship in affairs, with local politicians for associates and fellow counsellors, made it very clear to him how men were to be handled and combined and gave him that close acquaintance with the personal side of party combination which is the surest basis of political sagacity among those who lead; and yet, though he knew men of all sorts intimately and at first hand, as Lincoln did, and met them every day in close, sympathetic association, he kept his own principles and point of view unconfused. He was the son of a rural pastor. His father had not had the means to give him a college training, but the lad had got the better training of a Christian household, had brought away from his quiet home standards of right action and a steadfast, candid conscience which told more and more upon the courses of his life as he matured. His associates found candor and courage to

be the most characteristic qualities of the man. There was something very satisfactory in the simplicity and frankness with which he went about his duties when in office, without question as to his obligations as a public servant or misgivings as to the effect of what he did upon his personal fortunes. "The affairs of the city," he said, when he became mayor, "should be conducted as far as possible upon the same principle as a good business man manages his private concerns"; and the voters of the city found, with not a little satisfaction, that he acted upon that principle with extraordinary watchfulness and vigor. They dubbed him the "veto mayor" before his term was out, so frequently did he check the extravagance and the ill considered plans of the city council with his sharp, unhesitating executive negative. As governor the same qualities shone even more conspicuous in him. Courage, directness, good sense, public spirit, as if without thought of consequences either to himself or to his party, made him at once a man whom all the country marked when he came to that great post.

There were men in the Republican ranks in New York who had played the chief parts of protest against the tendencies of their party. They meant to reform it, if they could, and so save it, but to oppose it if they could not bring it to a new way of action, a new and better choice of leaders. They sent strong spokesmen to the Republican nominating convention of 1884, and when that convention would not heed them they urged the Democrats to nominate Mr. Cleveland and give independent voters a chance to cast their ballots for a man of their own temper and principles in affairs. The Democratic convention took their advice, and for





JAMES GILLESPIE BLAINE

the first time in twenty-eight years a Democrat was chosen President. The candidate whom the Republicans had preferred was as brilliant a leader as any party had had for a generation; but the country did not want brilliant leadership; it wished for mere solidity of character and for a new and better point of view in the man it should put into its highest office; and it could not satisfy itself with Mr. Blaine. Mr. James G. Blaine was a man turned of fifty-four; Mr. Cleveland was but forty-seven. The one had been known through a whole generation as a man who by sheer force of natural gifts, eloquence, audacity, charm, had made his way to the front in the national counsels; the other had come but yesterday into view, not as a leader in counsel, but as a man of right action in practical public business. But some deeply unpleasant impressions had got abroad concerning Mr. Blaine, and had worked very powerfully upon those who were beyond the reach of his personal charm; and when the Republicans nominated him for the presidency the distrust those impressions had bred cost him the election, with such a man as Mr. Cleveland for opponent. He had played a great part in legislation. Three successive times before they lost control of the House of Representatives (1869–1875) the Republicans had made him Speaker, and he had used the power of that great office to make himself master of party action in the lower house, after the manner of the later Speakers, but with a personal hold upon the members of the House such as no man had enjoyed since Henry Clay. There were rumors that he had used his power also to obtain favors from certain railway and mining corporations and enrich himself. Nothing was proved. When the charges made against him were looked into with careful

and impartial scrutiny they turned out to have very disputable foundation. He had engaged in transactions which no doubt left his hands clean, but hardly, it seemed, his conscience. There had been too little of the high punctilio of a nice sense of honor in many of the things he had done. Republicans who had grown critical and uneasy in such matters were convinced that, whatever might be said in defence or justification of Mr. Blaine, he was, at best, not entirely free from the taint that had seemed to fall upon almost every leader of the party who had played a prominent part in Congress during the last, bad days of the period of reconstruction, when the power they wielded was touched with high-handed lawlessness and the government they administered with the spirit of spoilsmen.

The result of the election turned upon the vote of New York. No strong tide of popular preference ran for the Democrats such as had heartened them in 1882. Every northern and western State except Connecticut, New Jersey, Indiana, and New York cast its votes for Mr. Blaine; could he have carried New York, he would have been elected, and he lost it by only the very narrow margin of 1,149 votes. In the thought of the New York voters it was one thing to vote for a governor, quite another to vote for a President. The national prestige of the Republican party was not lost; only the steadfast determination of a few men to rid it, if they could, of its older leaders gave the vote of the State to Mr. Cleveland. Their task called for not a little moral courage in the performance. They were in principle and by preference, not Democrats, but Republicans, and what they were about to do filled their one-time party associates with contempt and bitter resentment. They

were dubbed pharisees, who must needs prove themselves a saving and holy remnant, truer than their fellows; "mugwumps," big chiefs, who would not take their cue from common men but must signalize their valor apart. They accepted the name "mugwump" very cheerfully. It was a name whimsically borrowed from the language of the Algonquin Indians, was native American, accordingly, and had no sting that they flinched under either in its first or in its ironical meaning. They were led by men who cared little what names they were called by if only they satisfied their principles in what they did: men like Mr. Carl Schurz, who had led the revolt of the Republicans of Missouri twelve years before; men like Mr. George William Curtis, as much statesman and orator as man of letters, with whom politics was not a game of power but a career of duty. It was the good fortune of such men that there were others in goodly numbers who were as indifferent as themselves what jibes were uttered against them provided they won and kept their character in the fight they had entered upon. And they did win. No doubt the Mugwumps made Mr. Cleveland President. He was a man of the sort they most desired, not touched with the older sophistications of politics, his face set forward, his gifts the gifts of right action. They trusted him and believed that he would purify the civil service and bring in a new day in which parties should concentrate their purposes on practical questions of the present.

Mr. Cleveland's task as President was both delicate and difficult. He did not come into power supported by the warm enthusiasm of a people, as General Jackson had come, though no one doubted that he was the

people's, not a party's, President. His popular majority over Mr. Blaine was but 23,000. Three hundred and twenty-five thousand votes had been cast for the candidates of the Greenback and the Prohibitionist parties, to which many men had turned for the nonce because they could not bring themselves to vote for Mr. Blaine and would not vote for a candidate of the Democrats, and in their extremity what to do threw their votes away. Out of a total popular vote of more than ten millions, therefore, Mr. Cleveland had lacked an absolute majority by more than three hundred thousand. The congressional elections had given the Democrats a strong working majority again in the House, but the Senate was still Republican. And yet the new President's party wished and expected him to recast the administration of the government in its behoof, as if it were already in its ascendency, and the Mugwumps bade him disregard party, put partisan considerations aside in his appointments to office, and make the government at Washington, as he had made the government at Albany, a sound instrument of public business. It was inevitable that he should disappoint both his party and the leaders of the independents. Fortunately he knew his own mind and was not rendered timid by the difficulties of his task. He accounted himself, not an independent, but a Democrat. His allegiance to his party was of the staunch and loyal sort. He thoroughly believed in its principles and held himself bound to serve it in every legitimate way compatible with the public service. He was a sincere believer in the reform of the civil service which the Mugwumps made so prominent a part of their creed and programme; but he thought it no breach of the principles of that reform to refuse

reappointment to Republican officials whose statutory term of four years had expired and to put Democrats in their places, to ask for the resignation of Republican officials whose offices brought them into relations of confidence with the administration, or to dismiss those out of the rank and file who showed themselves disposed to use their offices for partisan purposes. He thought it right and wholesome and an act of sound policy to change a civil service which was exclusively Republican in every rank, and which had been exclusively Republican throughout a whole generation, a service in which Democrats had been virtually proscribed, into a service mixed of men of both parties, and a clear matter of traditional right to put Democrats in every chief post of trust.

The thorough-going politicians of the Democratic party were disappointed to the pitch of dismay to find that Mr. Cleveland meant to make no clean sweep of the offices and set his face like flint against the doctrine that appointments to office were the spoils of victory in a presidential contest. Thorough-going reformers were equally disappointed to find that he did not intend to adopt their principles with their own uncompromising austerity. "They are to be treated with respect," Mr. Blaine had written to Mr. Garfield of the reformers, in 1880, "but they are the worst possible political advisers, . . . foolish, vain, without knowledge of measures, ignorant of men, . . . pharisaical, but not practical; ambitious, but not wise; pretentious, but not powerful." Mr. Cleveland knew too much of the sterling character and wide experience of the particular group of reformers who had made his election possible to utter so superficial a judgment about them, or to feel any-

thing but the profoundest respect for their motives and for their sagacity as men of action. He stood very near them in his own hopes and purposes, and felt no touch of Mr. Blaine's resentful contempt for them. But he was a practical man of affairs and knew better than they did both the limitations and the theoretical weakness of their programmes. They stood outside the public service as critics; dealt with principles, not with men; were serviceable in the formation of opinion, but not in the conduct of government. The conduct of government they still left to professional politicians and to men who made public life their constant object, as they themselves did not; and Mr. Cleveland understood the public men whom they condemned more justly than they did,—understood them by reason of lifelong association with them, and knew that their qualities were better, their gifts a great deal more serviceable than men who had no dealings with them supposed them to be. Those who came into direct conference with him and learned to know at first hand his principles of action found nothing so strong, so imperative in Mr. Cleveland as his sense of justice, his sense of right and of fair dealing. He had, they found, a big conscience open to the airs of all the various world, approachable by all sorts of men, whether of thought or of affairs. He felt as much bound to meet the reasonable expectations of the right-minded politicians of his party as to come up to the requirements of the reformers. He knew the practice of party government as his critics did not, and felt at liberty to act upon the immemorial understandings of government in that kind wherever he could do so and yet not violate principles of sound administration. He

meant to use the principles of the civil service reformers for the purpose of making the government pure and efficient, but not for the purpose of taking it out of the hands of parties as an instrument of policy. It was a reform which he perceived could not be brought on upon a sudden impulse, but must be worked out through the processes of politics as they stood.

It was his conduct of administration and his attitude towards Congress rather than large questions of policy or of party management that held the attention of the country throughout the four years of his term. The House kept its Democratic, the Senate its Republican majority, and party legislation was still out of the question. All energy and initiative seemed for the time summed up in the President. His quality was as unmistakable as General Jackson's, and yet he had none of General Jackson's blind impetuosity or mere wilfulness. His individuality was the more marked because he stood apart from the houses as a power set to check and criticise them. He had never been a member of a legislative body. From first to last his experience in public service had been that of an executive officer. He held very literally, therefore, to the theory that Congress and the President were not so much associated as offset in the structure of the government, and was inclined to be a strict doctrinaire in the exercise of a complete independence of congressional suggestion. What most attracted the attention of the country, aside from his action in the matter of appointments to office, was the extraordinary number of his vetoes. Most of them were uttered against pension bills great and small. Both Democratic House and Republican Senate were inclined to grant any man or class of men who

had served in the federal armies during the civil war the right to be supported out of the national Treasury, and Mr. Cleveland set himself very resolutely to check their extravagance. He deemed it enough that those who had been actually disabled should receive pensions from the government, and regarded additional gifts, for mere service, both an unjustifiable use of the public money and a gross abuse of charity. When the Senate sought to revive against him the principles of the Tenure of Office Act, which had been passed to thwart Mr. Johnson but suffered to lie forgotten so long as Republicans were in the presidency, and inquired into his reasons for certain removals from office, he met it with an assertion of his constitutional rights as Executive as imperative as General Jackson would have uttered, and put that matter once for all at rest.[1] Both houses learned to respect his intelligence, his conscience, his unhesitating will with a touch of fear such as they had felt towards no other President they could remember.

The new tenor of reform and of individual responsibility he had brought into affairs seemed in some measure to touch Congress also and to dispose it to apply itself to important matters of business which had too long waited to be dealt with, and which could be handled without partisan heat. The most important of these was the establishment of a fixed order of succession to the presidency, in case of the death or disability of both the President and the Vice President. A bill amending the law in that matter had been formulated in the Senate as long ago as the summer of 1882, and since that time had twice been adopted by the Senate; but the House had failed to concur. As the law stood the succession fell to the president *pro tempore* of the

[1] See page 209.

Senate or, if he could not act, to the Speaker of the House of Representatives. But there were times, falling between the sessions of a Congress whose term had expired and the sessions of the Congress chosen to succeed it, when there was neither a president *pro tempore* of the Senate nor a Speaker of the House. There had been such a season while Mr. Arthur was President. There had been an anxious summer when, had death or serious disability overtaken him, there would have been no one to take up the duties of the chief office of the nation. Another season of the same sort came during the very first year of Mr. Cleveland's presidency. Mr. Hendricks, who had been chosen Vice President with Mr. Cleveland, died in November, 1885, and there was a brief interval during which there was no one between the President and a legal lapse of the presidential functions. At its first session, therefore, the Congress which had been chosen at the time of Mr. Cleveland's election passed an Act which placed the heads of the executive Departments in the line of succession, in the order of the creation of their several offices, should they possess the qualifications of age and of birth within the United States prescribed by the constitution in respect of the President and Vice President: the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney General, the Postmaster General, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture (January 18, 1886); and a matter of much anxiety was happily settled.

The leaders of the two parties were at last ready also to agree upon a final settlement of the mode of counting the electoral votes. It was manifestly imperative that

the recurrence of such a situation as had been brought about in 1876 by the double electoral returns from South

T. A. Hendricks THOMAS ANDREWS HENDRICKS

Carolina, Florida, and Louisiana should be prevented by some provision of law which should determine once for all whence the authoritative and final decision should emanate as to the validity of disputed votes, but not

until now had the heat of that contest been sufficiently dispelled to enable politicians to come to an agreement in the matter. An Act became law on the 3d of February, 1887,[1] which provided that the decision should rest with the States themselves from which the votes came, and Congress should undertake to judge of matter in dispute only when there was in any State such a conflict between two tribunals of appeal as made it necessary that some outside authority should intervene. In such a case the decision of the houses should be reached by concurrent resolution. It took much debate and many conferences to frame the law to the satisfaction of both houses; but it was felt at last that agreement was necessary, and all sensible men hailed the result with gratification.

There were questions also of business and of economic relief which the houses found it possible to agree upon before Mr. Cleveland's term was out. By an Act of the 4th of February, 1887, known as the Interstate Commerce Act,[2] railway corporations operating lines which passed from one State to another were forbidden to make discriminations in their rates as between different shippers or to enter into any combination with competing companies for the purpose of sharing earnings or of "pooling" freight receipts in a common fund to be proportionally divided; and a commission of five persons, to be appointed by the President, was constituted which was given very extensive judicial and mandatory powers for the enforcement of the Act. In the following year an Act was passed which excluded Chinese immigrants from the United States. The Interstate Commerce Act had been introduced by Senator Reagan, of Texas, so long ago as 1884, and had been

[1] See page 226.

[2] See page 232.

pressed for three years before obtaining majorities in both houses. Its advocates spoke in the interest of the farmers and of all small shippers,—of all who had felt the power of the railways a burden upon them. It was not disputed that the railway companies had granted lower rates of carriage to the greater manufacturers and producers whose shipments were large, or that they had favored one section of the country at the expense of another; and it was manifest that their discriminations had fallen very heavily upon small farmers and men in the smaller ways of trade and manufacture. There was decided satisfaction throughout the country, therefore, that steps had at last been taken to protect the rank and file. The law which excluded Chinese immigrants had been passed at the urgent solicitation of the men of the Pacific coast. Chinese laborers had poured in there, first by hundreds, then by thousands, finally by hundreds of thousands, until the labor situation of the whole coast had become one almost of revolution. Caucasian laborers could not compete with the Chinese, could not live upon a handful of rice and work for a pittance, and found themselves being steadily crowded out from occupation after occupation by the thrifty, skilful Orientals, who, with their yellow skin and strange, debasing habits of life, seemed to them hardly fellow men at all, but evil spirits, rather. For years together the laborers of the coast and all who wished to aid them had demanded of Congress the exclusion of the Chinese. Failing of aid from that quarter, riot had become their almost habitual means of agitation and self-defence,—riot which sometimes went the awful length of wholesale slaughter in wanton attacks upon the Chinese

quarters of the towns. San Francisco had found the matter a veritable menace to government itself. Congress had passed an exclusion bill in 1879, but Mr. Hayes had vetoed it. Negotiation with China had been tried, but she had refused to agree to the exclusion of her people by her own act and consent; and an end was at last made of the matter by the Act of 1888.[1]

Such Acts were but the first fruits of radical economic changes and the rapid developments of trade, industry, and transportation. The laborers and men whom great combinations of capital were in danger of crushing or driving to the wall were making themselves more and more heard and heeded in the field of legislation. The Knights of Labor, who but the other day had numbered only a few more than a hundred thousand, now mustered six hundred thousand strong. What was more significant, airs, not of agitation merely, but of anarchy also were beginning to stir, in a country which until now had been known and envied the world over as a land in which men reverenced "the laws themselves had made," acted under government as under their own self-control, and kept opinion always within the paths of peace. The cities were filling up with foreigners of the sort the Know Nothings had feared; men who had left their homes dissatisfied not merely with the governments they had lived under but with society itself, and who had come to America to speak treasons elsewhere forbidden. For many a long year their incendiary talk had fallen without effect upon the ears of workingmen in America, and politicians had been wont to boast that men born in America and men trained in America's school of labor and politics would never listen to it. But the air of the industrial regions of the country had

[1] See page 272.

sensibly thickened with the vapors of unwholesome opinion in these last years of unlooked for concentrations of capital and unparalleled growths of corporate power. They still showed themselves most in cities where discontented men and women out of the proletariat of European countries most congregated. The country had startling evidence of the strength and audacity of the anarchist leaders in a great meeting held in May, 1886, in the Haymarket at Chicago, which seemed part of a concerted plan not only to preach but also to practise defiance of law, and which ended in the most serious conflict with the police an American city had ever witnessed. But the infection was spreading outside the cities, too. It began to be seen, when once the matter was laid bare, that men of American training, as well as foreigners, had begun to take the taint of anarchistic sentiment. Even the Knights of Labor were touched with it, despite the conservative influence of their leaders, and nothing but the sharp reaction of opinion caused by the Chicago riot, the country through, checked its quiet spread. Vast organizations like that of the Knights of Labor held loosely together at best; anarchism is the negation of organization; and in proportion as it became anarchistic the great order suffered disintegration and decay. A new order, the American Federation of Labor, sprang up to take its place, and the scene changed very rapidly as one agitation succeeded another. But no one could say that the scene grew more quiet or gave hopeful signs of peace as it shifted.

To Mr. Cleveland it had become evident that not a little of the economic trouble of the time had its root and source in the operation of the tariff. There, it

THE ANARCHIST RIOT IN CHICAGO, ILLINOIS. A DYNAMITE BOMB EXPLODING AMONG THE POLICE

seemed to him, lay the foundations of those economic preferences of one set of men or one section of the country over another which were so deeply irritating the farmers of the South and West, the laborers of the cities and of the centres of manufacture, and the advocates of free competition. Protective tariffs deliberately extended the favors of the government to particular undertakings; only those who had the capital to take advantage of those favors got rich by them; the rest of the country was obliged to pay the costs in high prices and restricted competition. Such had time out of mind been Democratic doctrine, and every sign of the times seemed a demonstration of its truth. But not every man who called himself a Democrat accepted that creed. The Democratic party had been out of power for twenty-four years; the war had broken its ranks and confused its principles; there were men in it now who would never have been in it had it been, that long generation through, a party of action instead of merely a party of opposition. Notable among such men were Mr. Samuel J. Randall, of Pennsylvania, and the group of members who stood with him in the House of Representatives. These men were avowed protectionists, and Mr. Randall had from 1876 to 1881 been the acknowledged congressional leader of his party. He had during those years been Speaker of the House, and by consequence master of its action in all points of legislation. Leadership in that kind passed away from him when Mr. Cleveland became President in 1885, and Mr. Carlisle, of Kentucky, became Speaker, a Democrat of the older type; but Mr. Randall's power was not gone. He still, it turned out, held the balance of power and controlled the action of the House in the matter of the tariff. Both in the Congress which pre-

ceded Mr. Cleveland's election and in that which followed it Mr. Morrison, of Illinois, had introduced proposals for the reform of the tariff which were neither radical nor disregardful of vested interests, and had pressed them

Samuel J. Randall SAMUEL JACKSON RANDALL

upon the House with arguments which lacked neither force nor the backing of opinion out of doors. An increasing surplus was being steadily piled up in the Treasury; the rates of duty which yielded the redundant revenue had been laid in time of war to meet extraordinary expenses; many of the articles which carried

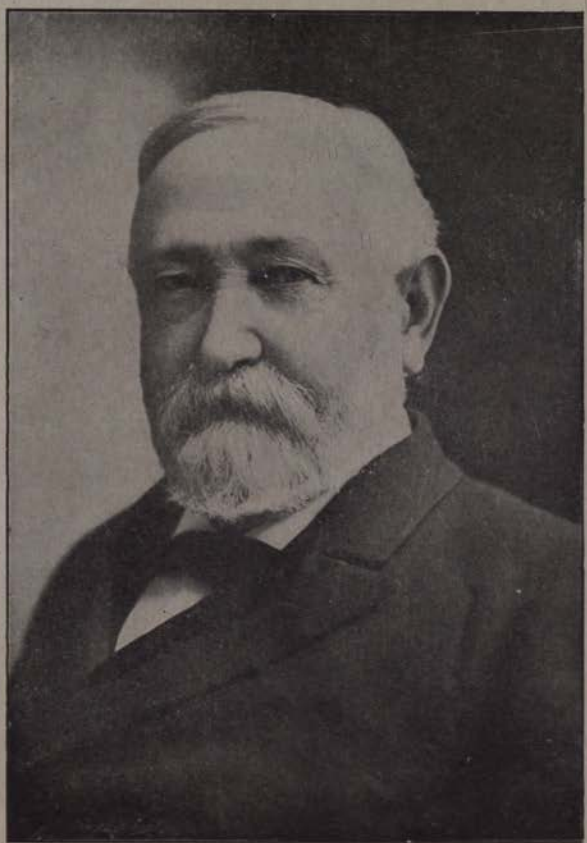
the burden of the tax were necessary to people of every rank and economic condition, notably wool and woollen goods; relief could be obtained by reductions which were not likely to damage any industry, or to deprive it of any advantage which it was not abundantly able to dispense with. But Mr. Randall led some forty Democrats, who sat for constituencies in Pennsylvania, Ohio, New York, California, and New Jersey, who voted against every reduction, by whatever argument supported, and the rest of the party, though they numbered one hundred and fifty strong, could carry nothing against them.

It was this situation which Mr. Cleveland determined to change, if plain speaking could change it. In December, 1887,[1] he addressed to the new Congress chosen in 1886 a message which passed all other subjects by and spoke only of the tariff. He asked Congress to put theoretical questions for the nonce aside. "Our progress towards a wise conclusion," he said, "will not be improved by dwelling upon the theories of protection and free trade. . . . It is a condition which confronts us,—not a theory. . . . The question of free trade is absolutely irrelevant." "Our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended," not only, he maintained, because unused revenue was piling up, but also because consumers were carrying an unjust burden. The message ran strong, imperative in every sentence, and the air was cleared upon the instant. It was the only voice of courage and decision that had been heard upon that matter in a generation; and Mr. Randall's minority fell into line as if confused. They had felt the compulsion of a

[1] See page 250.

leader's will,—were not converted, but disciplined. The Committee of Ways and Means of the House, under the leadership of Mr. Mills, of Texas, its chairman, at once prepared a bill which attempted a systematic revision of duties, general though not radical, a measure not of free trade but of carefully planned, conservative reduction such as the President had desired; and it passed the House with only four Democratic votes cast in the negative.

The Republican Senate rejected it,—even proposed higher duties in its stead; and the existing law stood unamended. But the issue had been made up. Mr. Cleveland had given his party a distinct, unmistakable policy with which to go to the country in the presidential campaign of 1888. It accepted the issue under protest; but it accepted it. Mr. Cleveland had not taken counsel with the congressional leaders of his party before uttering his imperative message; had asked advice, indeed, of no one; had acted wholly upon his own conclusions as to what was necessary for the relief of the country. His action in the matter had filled the leading politicians of his party with dismay, its rank and file with confusion. He had been warned that to attack the protected interests of the country might cost him his re-election; but that consideration had not moved him. He believed that his party could win upon such an issue at the polls, but he would not wait to make any nice calculations on that subject; he would at least do his party the service of putting it in the right. The country relished his courage, whatever timid politicians thought of it. He stood for the moment the indisputable master of all action within the Democratic party. Its nominating convention nominated him as of course for a second



Benj Harrison

BENJAMIN HARRISON

term. The Republicans nominated General Benjamin Harrison, of Indiana, grandson to William Henry Harrison, whom death had taken untimely away to make Mr. Tyler President; and the two parties went to the country on the issue Mr. Cleveland had made.

The Democrats were defeated. The popular vote for Mr. Cleveland, indeed, exceeded that for his opponent by some one hundred and ten thousand, but Mr. Harrison had a majority of sixty-five in the electoral college (233–168). New York and Indiana had turned again to the Republicans. No northern States except Connecticut and New Jersey had voted for the Democratic candidates. Even the control of the House of Representatives was lost by the Democrats; the congressional elections gave the Republicans a working majority of about twelve. The tariff system had come to seem to that generation of voters very like a fixed part of the law of society, of the national life itself; Mr. Cleveland had not given them time enough to adjust their thought to the change he urged. There had been nowhere any sharp reaction of opinion, but everywhere in the North reaction enough to shift the balance of power once again from the Democrats to the Republicans.

On the 4th of March, 1889, Mr. Cleveland quietly gave place to Mr. Harrison and the government passed once more in all its branches into the hands of the party which had made the policy of the last twenty-eight years. But it was not the same government it had been when that party met its first serious check in 1875. It had steadied the judgment of the country in respect of parties to have a Democratic President for four years, and that President a man like Mr. Cleveland, compact of frankness, conviction, and force, no mere partisan

but a man of the people, with the spirit of service strong upon him. The people had for a long time endured the deterioration of affairs under the later Republican administrations because they doubted the capacity and the principle of the Democrats. They had now learned at least that a change of parties in the administration meant no jeopardy to the government itself. The choice between parties had become once more a choice between policies merely, and affairs wore a normal aspect again,—such an aspect of peace and businesslike quiet as they had not worn since the painful shock of the Kansas-Nebraska Act. One by one the statutes which had marked the era of war and reconstruction had disappeared from the statute book: some because annulled by the Supreme Court, others by expiration, still others by repeal. Even the Tenure of Office Act had been quietly repealed after Mr. Cleveland's refusal to submit his reasons for removals to the Senate's scrutiny and review.

In 1888 the legislature of Massachusetts had adopted a method of balloting at elections borrowed directly from Australia, indirectly from England itself, which, as it spread from State to State, gave a noteworthy impetus to the purification of elections. The main features of the reform were, the facilitation of independent nominations for office outside fixed party lines, the official printing of the ballots to be used, their distribution to the voters only by sworn officers of election, and the isolation of the voter while preparing his ballot, in order perfectly to protect his privacy and independence. Opinion approved the change at once, and legislature after legislature hastened to adopt what opinion unmistakably demanded. It was one of the

signs of the times. Opinion was slowly freeing itself as much as possible not only from the older party prejudices, but also from the too inquisitive management of politicians.

The foreign affairs of the government stood as they had stood when Mr. Cleveland came into office. The hostility of the Senate to his administration had rendered it impossible for him to bring any matter of negotiation to a satisfactory conclusion. The only matters of capital importance it had fallen to him to consider had concerned the fishing rights of the United States on the two coasts of the continent. Dissatisfied with the operation of those clauses of the Treaty of Washington which dealt with the Canadian fisheries, Congress had instructed the President in 1883 to give the required notice to Great Britain of the desire of the United States to abrogate them, and on the 1st of July, 1885, pursuant to Mr. Arthur's notice, they had gone out of effect. In February, 1888, under Mr. Cleveland, a new treaty regarding the fisheries had been negotiated; but the Senate had rejected it. The question which arose on the other side of the continent concerned the rights of the United States over the seal fisheries of the north Pacific. The United States claimed that the purchase of Alaska from Russia in 1867 had brought with it the right to protect the seals of Bering Sea against capture or destruction, having brought with it exclusive jurisdiction over that sea. England denied the right and the jurisdiction; but the government passed out of Mr. Cleveland's hands before the matter could be brought to a definitive formulation and issue. It passed to Mr. Harrison along with all other pending questions of policy and administration.

Authorities now begin to grow scarce. Mr. Edward Stanwood's *History of the Presidency* still affords an excellent sketch of political conditions; Edward McPherson's *Handbook of Politics* still records the chief political happenings; Mr. Francis Newton Thorpe brings his *Constitutional History of the United States* down through this period; Appleton's invaluable *Annual Cyclopaedia* makes careful record of events; and the more serious magazines of the country, such as *The Atlantic Monthly, The North American Review, The Forum, The Nation, The New Princeton Review, The Political Science Quarterly,* and the *Quarterly Journal of Economics* furnish reviews and discussions of almost all the principal public transactions of the time. *The New Princeton Review* contains an exhaustive Record of Events (1885–1888), which, after 1888, is continued in *The Political Science Quarterly,* in which *The New Princeton Review* was merged. Mr. S. S. Cox's *Three Decades of Federal Legislation* covers the years down to 1885; Mr. Hugh McCulloch's *Men and Measures of Half a Century* runs a little way into the period of this chapter; Mr. John Sherman's *Recollections of Forty Years in House, Senate, and Cabinet* covers all of it; and the collected *Works* of Mr. George William Curtis shed excellent light on many of the more serious questions of the times. Mr. John Clark Ridpath has prepared *The Life and Works of James A. Garfield* in such a way as to afford some guidance in the history of the time.

Mr. A. S. Bolles's *Financial History of the United States* (to 1885), Mr. Carroll D. Wright's *Industrial Evolution of the United States,* Professor F. W. Taussig's *Tariff History of the United States* (to 1883) and *Silver Situation in the United States,* and Mr. David A. Wells's *Recent Economic Changes* are our chief authorities on matters fiscal, financial, and economic. Mr. C. Juglar has written *A Brief History of Panics;* Mr. H. Lambert a sketch of *The Progress of Civil Service Reform in the United States;* Mr. C. B. Elliott a recital of the principal facts with regard to *The United States and the Northeastern Fisheries;* and Mr. Eugene Schuyler a treatise on *American Diplomacy,* which is an excellent manual of the larger international concerns of the country. Mr. Henry Jones Ford's *Rise and Growth of American Politics,* Mr. Lauros G. McConachie's *Congressional Committees,* and Miss M. P. Follett's *Speaker of the House of Representatives* still serve us in explaining congressional influence and procedure and party action.

The *sources* here, as in the last chapter, are *The Congressional Record,* the various series of *Documents* published by House and Senate, the *Messages and Papers of the Presidents,* the *Statutes at Large,* and the newspapers and other periodicals of the time.

CHAPTER II

THE END OF A CENTURY

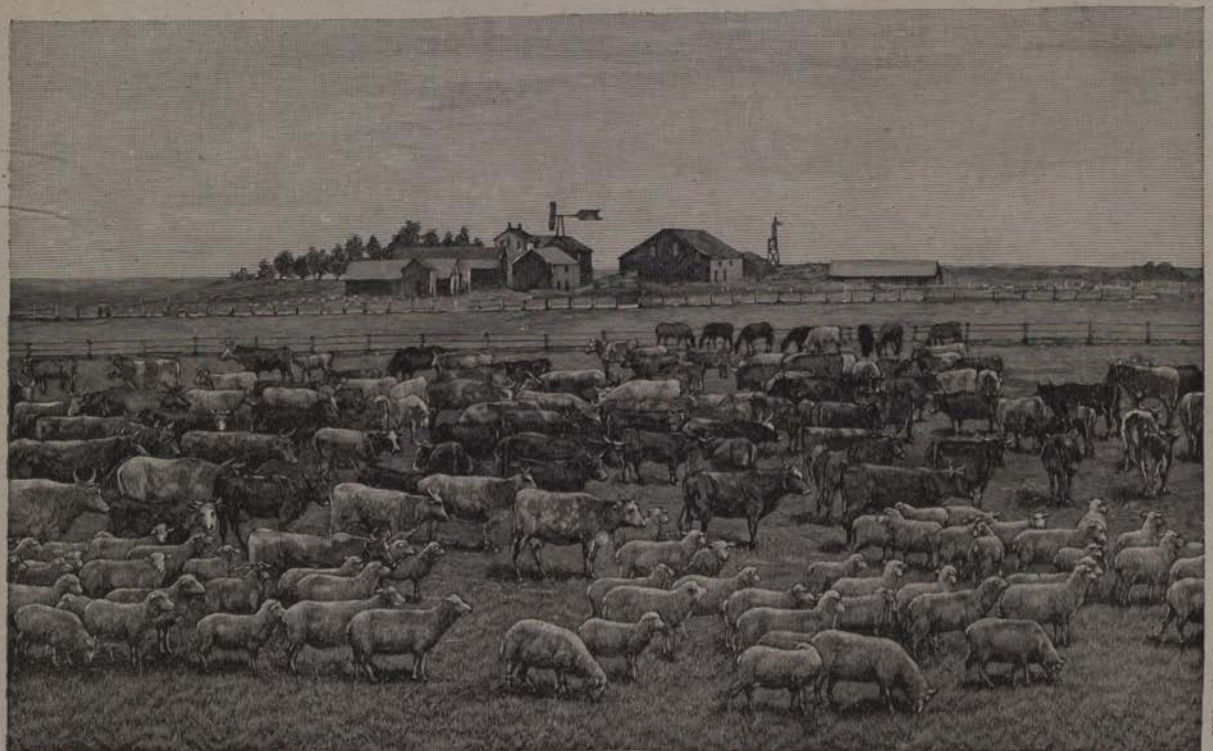
MR. HARRISON entered office amidst signs of a new age. The Republican party which had put him forward was not the Republican party of the war and of reconstruction but the Republican party of the new day of industrial revolution. Old questions had fallen out of sight or were transformed by changes in the nation itself; new questions pressed for solution which had in them no flavor of the older passion of party politics. Mr. Cleveland's four years of office had altered many things. For the mass of voters they had altered the very principle of choice between parties. That choice turned now once again upon questions of the day, not upon the issues of a war long ago fought out or of a reconstruction of southern society which politicians had touched only to mar and embarrass. A full century had gone by since the government of the nation was set up. Within that century, it now began to appear, fundamental questions of governmental structure and political authority had been settled and the country drawn together to a common life. Henceforth matters were to be in debate which concerned the interests of society everywhere, in one section as in another, questions which were without geographical boundary, questions of the modern world, touching nations no

less than communities which fancied themselves to lie apart.

And yet a new sectionalism began to show itself, not political, but economic. In 1890, for the first time, the census takers found it impossible to trace upon their maps any line which marked the front of settlement between the Mississippi and the rising heights of the Rockies. Hitherto there had always been a "frontier" within the body of the continent, a line along which ran the outposts of settlement, and beyond that, between the newest settlements and the slopes of the Pacific, a well defined space as yet unpeopled. But now such regions had lost their definite outlines. Here and there were yet vacant spaces, some of them, it might be, as extensive in area as a great State: some tract of desert, some region which promised neither the fruits of the earth nor hidden wealth of minerals; but for the rest population had diffused itself so generally that frontiers had disappeared and the differences between region and region seemed little more than differences in the density of population. And yet there were lines of separation, none the less, which no census taker could draw but to which statesmen of necessity gave heed, which were as significant as anything the older maps had shown. The careful student of economic conditions might almost have made a sketch upon the map of the new divisions of the country,—divisions of interest: those most fundamental of all differences, differences in the stage of development. Any observant traveller might remark them as he moved from the teeming eastern seaports into the West or South. From the Atlantic seaboard to the Mississippi and the great lakes there stretched, north of Mason and Dixon's line,

a region substantially homogeneous in all the larger interests of trade and industry, not unlike European countries in the development of its resources and the complex diversification of its life; but beyond it, to the west and south, lay regions and communities of another kind, at another stage of development, agricultural, for the most part, up to the very ridges of the Rockies, or else set apart to some special interest like that of mining or of cattle raising on the great scale. Throughout all the vast continent, to the east of the Mississippi as to the west, contrasts were, indeed, modulated; hardly anywhere was the transition sharp from one set of social and economic conditions to another. But, taken upon the large view, they were very great, very radical, very significant, openly prophetic of differences of opinion and of interest.

Settlement had crossed the continent, but always with a thin and scattered front, its masses neither homogeneous nor uniform, its processes hasty, imperfect, crude until the third or fourth generation. In many places settlers were yet but in the first generation. Line after line to be found upon the decennial maps of the census office, to mark the frontier of fixed settlement decade by decade, was still to be traced in differences of habit and development between community and community from east to west, not yet effaced by the feet of those who had crossed them to make homes beyond. Communities were still making and to be made. Conditions as if of a first day of settlement, conditions such as had once existed upon the coast of the Atlantic in the far-away days of the first colonies, conditions which had been shifted generation by generation from east to west across the whole breadth of the great con-



A PRAIRIE STOCK FARM

tinent, were still to be observed in hastily built towns at the far West, upon broad cattle ranches, in rough mining villages, in new regions upon the vast western plains where the plough had but just begun to break the surface of the virgin land into fruitful furrows. The land itself, by reason of its own infinite variety of character and resource, commanded changes of life and diversity of occupation. There were broad tracts of country which were entirely without cities or centres of population or any industry which brought men together in intimate co-operative groups, tracts given over by nature to the farmer and the grazier. There were States where communities sharply contrasted in life and motive were set side by side, to the sore perplexity of those who sought to make their laws and reconcile their interests: placer mines which poured the refuse of their operations down the slopes of the western mountains upon smiling farms which they were like to ruin; towns perched high within the peaks of the towering Rockies, where precious metals were to be found, which yet lay within the same political boundaries with keepers of sheep and cattle in the plains below; centres of trade and of manufacture, lying upon some great watercourse or by the coasts of the western ocean, which seemed hardly more than huge trading posts on the routes of commerce from east to west, from west to east, so little intimate part did they have in the life of the rural people amidst whose prairie farms or broad orchards of fruit they were set.

It was these differences, this lack of homogeneity, this diversity of habit, interest, and point of view which had begun to tell upon the politics of the country with the ending of the war and of the processes of recon-

struction, and which now began to be decisive in the formulation of party programmes. The South, with the passing away of slavery and of the leadership of the greater landholders, bred in an elder school of politics, had become like the newer regions of the West in motive and opinion. It, too, was predominantly agricultural. Its farmers were not the aristocratic planters of the elder society which the war had destroyed, but were for the most part men of the class from which Andrew Johnson had come: plain men who did not stand for the old traditions, who had not themselves owned slaves and who had felt none of the *esprit* of privilege that had ruled affairs in the days gone by; men as new in politics, as new in political thinking and constructive purpose, as much bound within the narrow limits of their own experience as the men of the western farms. Any one who noted how the tenets of the Farmers' Alliance and the new and radical heresies with regard to money took root there could see how the South had in fact become itself a new region in all that touched its social organization and its political thinking, a region as it were of recent settlement and late development so far as all the new order of the nation's life was concerned. Errors of opinion began to prevail there, as in the new regions of the West, like those which had swept through the crude colonies in the unquiet days which preceded and followed the War for Independence: hopes that the credit of the government itself might in some manner be placed at the disposal of the farmers in the handling and marketing of their crops, demands for a "cheap" currency, of paper or of silver, which should be easier to get and easier to pay debts with than the gold which lay so secure in the vaults

of the banks and of the federal Treasury. The communities from which such demands came lay remote from the centres of trade where men could see in the transactions of every day what the real laws of credit, of value, and of exchange must always be, whether legislators would have them so or not. Moreover, they felt profoundly, though vaguely, the economic uneasiness of the time, the novel power of the railways to determine markets and prices and margins of profit, the rising influence of great aggregations of capital in the controlling industries of the country, the providential oversight of banks and of those who made the arrangements of credit and exchange. Every farmer, every rural shopkeeper and trader, every man who attempted manufacture upon a small scale felt at a cruel disadvantage, and, letting his thoughts run only upon his own experience and observation, dreamed of bettering his chances by an abundant issue of at least the cheaper of the two monetary metals by the government itself, in order that bankers and capitalists might no longer keep poor men in bondage.

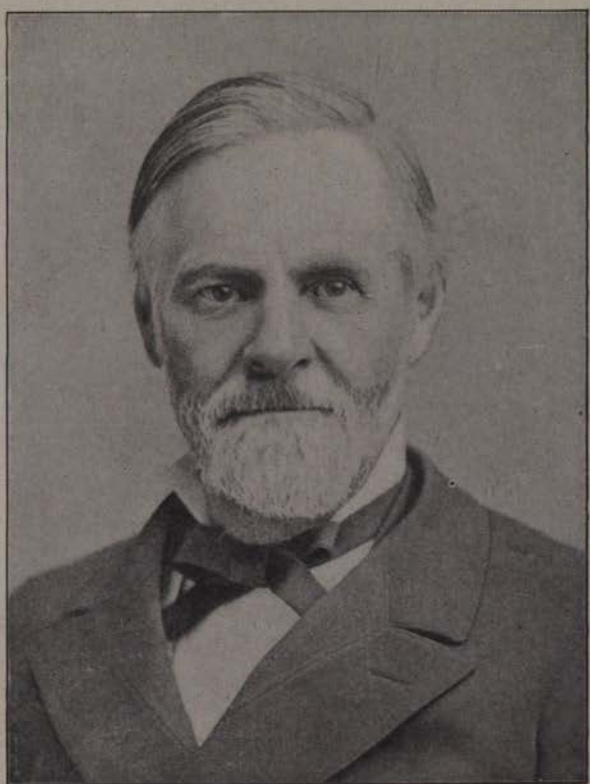
It was the rise and spread of such opinions that the Republicans, now once again in power, in Congress as in the presidency, had to face. There was as good reason for the apostles of the new radicalism to hope to establish themselves in the counsels of the Republican party as to hope to control the action of the Democrats. Republican constituencies were touched with the new heresies, in many parts of the country, as sharply as Democratic constituencies, and the one party was not more expressly committed than the other against the policies proposed. The Whigs, from whom chiefly the Republicans took their political lineage, had stood

always for a sound and stable currency; but so also had the Democrats, with their unbroken party history since the days of Mr. Jefferson himself. The difference between them had been hardly more than this, that the Whigs wished to use the instrumentality of a national bank in the management of the public finances, while the Democrats, rejecting a bank, had sought to make the Treasury in all things independent of private business interests. The Democrats had sought to break all connection between the federal government and the banks, but they had never thought to touch the credit of the country with the hopeless demoralization of a depreciated and fluctuating currency by any imprudent law of coinage or by any substitution of a body of paper issues for the accepted monetary metals. General Jackson had come perilously near to wrecking the whole fabric of credit in order to put all payments to the government upon a gold basis. No doubt it was the questionable decisions of the Supreme Court of the United States in the legal tender cases which had opened the minds of politicians to rash experiment in the field of financial legislation. Those decisions justified the government in making its own mere promises legal tender in the payment of both public and private debts. The immense issues of the war time were made in their reasoning to seem compatible with the ordinary processes of public finance. Legislators got a novel and misleading sense of power in the creation of values. The country was ready to believe that such measures as the Bland Silver Bill of 1878, passed through Congress by votes drawn from both parties, might come from either party, should the movement of opinion in that direction but grow strong enough. The Demo-

crats, it might be, stood nearer to the mass of the people in such matters, and undoubtedly drew their chief strength from the West and South, where the new opinions showed themselves strongest and most aggressive; but the Republicans, though they drew their support chiefly from the industrial and commercial centres of the country, showed also an uneasy fear lest they should seem to fail to meet popular doctrine half way. They were not loath, observers began to remark, to play to the populace upon occasion.

That impression was not a little strengthened by the action of the new Republican Congress. In midsummer, 1890, an Act was passed which put the coinage of silver and its use as a medium of exchange on a new footing, but which by no means reversed the policy of the government or turned away from experiment. It in set terms repealed the Bland Act of 1878, and it put a limit of one year upon the continued coinage of the silver bullion purchased by the Treasury; but it did not discontinue the purchase of silver by the government. It provided that the Treasury should each month purchase four and a half million ounces of silver at its market price; that the bullion thus bought should be paid for in Treasury notes of the United States; that after July 1, 1891, the silver purchased should no longer be coined, except so far as might be necessary in order to supply the Treasury with coin enough to redeem its notes; that the notes issued in payment for the bullion should be legal tender in the satisfaction of all debts; and that they should be redeemable in either gold or silver at the discretion of the Secretary of the Treasury. The Act declared it to be "the established policy of the United States to maintain the two metals at a parity

with each other" at a fixed ratio determined by law. It was with a view to maintaining their parity that the Secretary of the Treasury was bidden use his discretion



John Sherman JOHN SHERMAN

in the redemption of the notes, being expected to see to it that the one metal was not suffered wholly to supplant the other, or that the one should not be made more difficult to obtain than the other. Mr. John Sherman, the

honored senator from Ohio, a man whom business men the country over looked upon as a careful student of affairs, and particularly of public finance, had fathered the measure. It was a significant political sign of the times that he should thus take part in an effort to give silver an artificial value, despite the movement, the irresistible movement, of the market. The ratio of value between gold and silver fixed by statute was not the ratio fixed by the law of supply and demand. The price of silver rose a little at first, under the influence of the Act, but it could not be kept up. The law of supply and demand was not checked in its operation. It governed the value of the metal as of all other things bought and sold. The statutes of no single government could set the efficacy of that law aside. The experience of the one-time monetary union of the Latin countries of Europe seemed to make it unlikely that even international agreement in matters of coinage could keep the values of the two metals to a fixed and stable ratio. Mr. Sherman and his colleagues both in House and Senate must have been conscious that they were playing to the galleries.

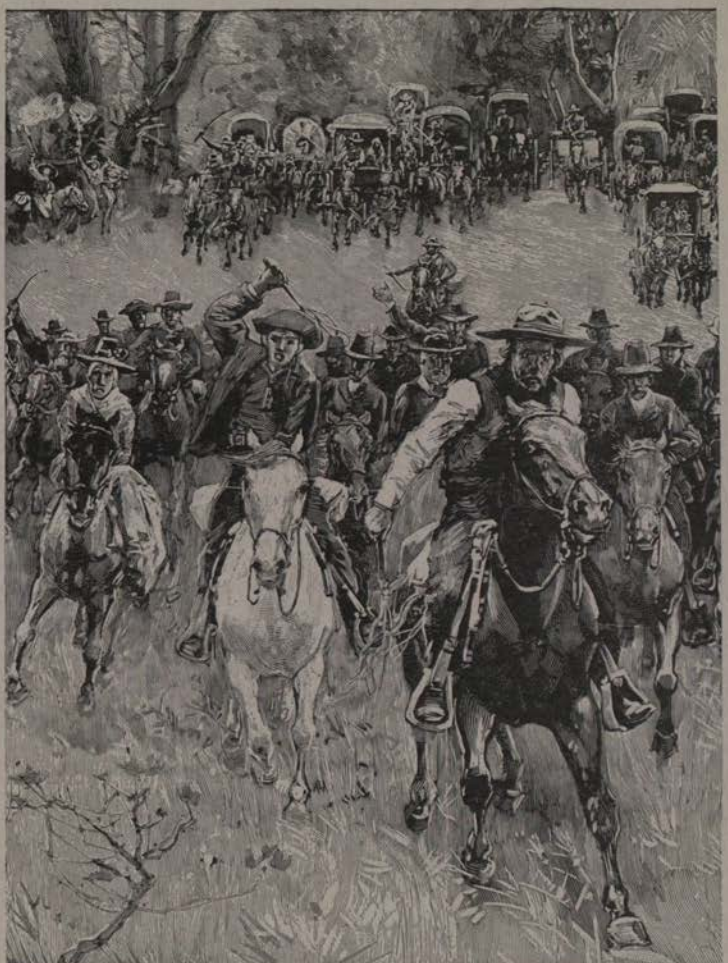
All policy came, as in General Grant's day, as in Johnson's day, from the leaders of Congress. Mr. Harrison did not possess the gifts of leadership. A man of unquestionable character and gifted above most of his predecessors with the power to think and speak clearly, impressively, and to the point upon every public issue, a man of culture, thoughtfully read in affairs and trained by long experience in the public service, he utterly lacked personal charm and the power either to persuade or to please the men about him. His manner was cold and distant; he seemed neither to give

nor to invite confidence. A cool air of orderly routine seemed always to pervade the executive chambers of the White House. It was not a place of intimate counsel where leaders conferred, but a place, rather, where the public duties of the President were performed in a sort of dignified seclusion. There was a pleasing independence in the way in which Mr. Harrison showed his good conscience and careful diligence in affairs, but no warm impulse came from him which the leaders in Congress felt constrained to reckon with. The legislative acts of the majority showed, consequently, no single informing purpose. Rank and file were apparently looking for safe ground rather than framing systematic and consistent policies.

The question of the tariff held the chief place of attention in debate. Before the close of May, 1890, the House, under the leadership of Mr. William McKinley, the chairman of its Committee of Ways and Means, had passed a new tariff Act, considerably increasing the protective duties, especially upon wool and woollen goods. The tariff had been the chief issue upon which the elections of 1888 had turned, at which the Republicans had won their majority. Mr. Cleveland had made the issue by his unexpected, outspoken message of December, 1887. The Republican leaders deemed their victory at the polls a sort of mandate not merely to maintain but also to strengthen the system of protective duties; and the Ways and Means Committee of the House had made it its first task to prepare a bill which should satisfy the expectations of the country. The House accepted the bill after but two weeks of debate. The Senate kept it all summer under consideration and so altered it before finally adopting it in September

that a conference between the two houses became necessary before an agreement could be reached; but by October 1 it had become law. It had passed by a strict party vote in each House. Even members of the Republican majority had had uneasy misgivings as they watched the movements of opinion out-of-doors. It was not certain that they had not won in the elections as much because Mr. Cleveland had disappointed some of his independent supporters by proving himself more of a party man than they cared to be as because he had demanded a revision of the tariff. There was at least candor and a definite party purpose in what the new majority had done, however. Their party was once more unequivocally committed upon one of the chief questions of the day.

It was growing from year to year more and more difficult to calculate, more and more difficult to guide the movements of opinion. The new age of growth which had followed the war showed a quickened pace of change. The years 1889–1890 saw six new States added to the roster of the Union: North Dakota, South Dakota, Montana, Washington, Idaho, and Wyoming, and thoughtful men perceived how significant a thing it was that but five Territories remained in all the broad continent, with scattered Reservations here and there in the farther West, set apart for the redmen. In 1889 the government had purchased of the tribes even a part of the Indian Territory which lay within the circle of Kansas, Arkansas, and Texas, to be thrown open to white settlers,—the fairest portion of it, Oklahoma, the Beautiful Land which lay almost at its heart; and all the country had heard how mad a rush there had been across its borders to secure its coveted acres. A host



THE RUSH OF SETTLERS INTO OKLAHOMA

of settlers fifty thousand strong had encamped upon its very boundary lines to await the signal to go in and take possession. At noon on the 22d of April, 1889, at the sound of a bugle blown to mark the hour set by the President's proclamation, the waiting multitude surged madly in, and the Territory was peopled in a single day. It was the old, familiar process of first occupation and settlement carried out as if in a play, the story of the nation's making in a brief epitome. Its suddenness, its eagerness, its resistless movement of excited men marked in dramatic fashion the end of the day of settlement. The best parts of the continent, save isolated Reservations here and there, were taken up; and the stream of population was dammed at their borders only by the barriers of law. When they were removed it would spring forward like a flood.

The census of 1890 showed the population of the country increased to 62,622,250, an addition of 12,466,467 within the decade. Immigrants poured steadily in as before, but with an alteration of stock which students of affairs marked with uneasiness. Throughout the century men of the sturdy stocks of the north of Europe had made up the main strain of foreign blood which was every year added to the vital working force of the country, or else men of the Latin-Gallic stocks of France and northern Italy; but now there came multitudes of men of the lowest class from the south of Italy and men of the meaner sort out of Hungary and Poland, men out of the ranks where there was neither skill nor energy nor any initiative of quick intelligence; and they came in numbers which increased from year to year, as if the countries of the south of Europe were disburdening themselves of the more sordid and hapless elements

of their population, the men whose standards of life and of work were such as American workmen had never dreamed of hitherto. The people of the Pacific coast had clamored these many years against the admission of immigrants out of China, and in May, 1892, got at last what they wanted, a federal statute which practically excluded from the United States all Chinese who had not already acquired the right of residence;

OKLAHOMA ON THE DAY OF OPENING

and yet the Chinese were more to be desired, as workmen if not as citizens, than most of the coarse crew that came crowding in every year at the eastern ports. They had, no doubt, many an unsavory habit, bred unwholesome squalor in the crowded quarters where they most abounded in the western seaports, and seemed separated by their very nature from the people among whom they had come to live; but it was their skill, their intelligence, their hardy power of labor, their knack at succeeding and driving duller rivals out, rather than their alien habits, that made them feared and hated

and led to their exclusion at the prayer of the men they were likely to displace should they multiply. The unlikely fellows who came in at the eastern ports were tolerated because they usurped no place but the very lowest in the scale of labor.

The year of the McKinley tariff and of the Sherman Act for the purchase of silver had brought fresh congressional elections, and after that there had been no more important party legislation. The Chinese exclusion Act had been no party measure, but a concession which both parties were willing to make to the opinion of the Pacific coast. The elections of 1890 had created in the House, instead of the slender Republican majority of a dozen votes, a Democratic majority of close upon one hundred and fifty. The tide was beginning to run which in 1892 swept the Republicans altogether from power. Once again, for the third time, when it came to the nomination of presidential candidates, the Democrats nominated Mr. Cleveland; for a second time the Republicans nominated Mr. Harrison; and the result of the elections of 1888 was reversed. The popular vote for Mr. Cleveland exceeded that for Mr. Harrison by less than three hundred thousand in a total vote of more than twelve million, but the turning of opinion had been singularly widespread. Every State accounted doubtful in its choice between parties had given its electoral vote to Mr. Cleveland, and his majority of sixty-five in the electoral college of 1888 was turned into a majority of one hundred and ten. Colorado, Nevada, Oregon, Idaho, North Dakota, and Kansas had cast their votes for the candidates of the People's party. In most of those States the Democrats had nominated no presidential electors; they had satisfied

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OKLAHOMA FOUR WEEKS AFTER THE OPENING

themselves with supporting the growing People's party, pleased if by any means they might discomfit the Republicans and half inclined to accept the opinions of their new allies in preference to the opinions of their own leaders.

The People's party, which the newspapers of the country promptly dubbed "Populist," had put forth a platform which demanded that the federal government should itself acquire the ownership of all railways, telegraphs, and telephones, that the free coinage of gold and silver at the ratio of sixteen to one should be accorded by law, that a graduated income tax should be established, postal savings banks created, and all lands held by aliens, or by corporations in excess of their needs, reclaimed,—a radical programme which jumped with the humor of hundreds of thousands of workingmen and farmers the country over. It was noted how universal a defection there was from the Republican ranks in the West. Those who knew how opinion moved there said that even those who had voted for the Republican electors and the Republican nominees for Congress had done so rather out of habit or conservative temper or the hope that time and the influences of opinion would bring their leaders to a creed and policy like that of the advocates of free coinage and of governmental restrictions upon the railways and upon organized capital than because they still believed in the doctrines professed from of old by their party.

There was apparently no reason why they should not entertain the hope, at least with regard to the coinage. The platforms of both the Republican and the Democratic nominating conventions spoke very strongly for the continued use of both gold and silver as money

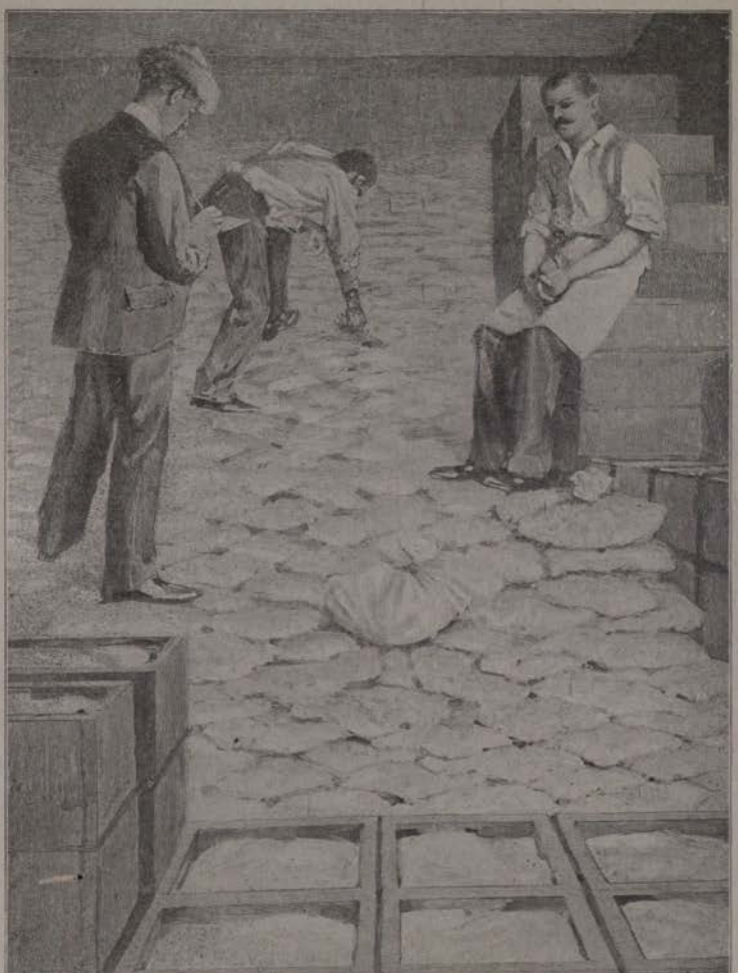
and for some arrangement which should maintain them at an equality in value, and the language which they held in the matter might without too much ingenuity be made to square with almost any policy. The Re-

SAN FRANCISCO FROM THE BAY

publican platform spoke of the use of both the metals "with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times

equal." The Democratic platform spoke of making the units of the coinage of the two metals "of equal intrinsic and exchangeable value, adjusted through international agreement or by such safeguards of legislation as shall ensure the maintenance of the parity of the two metals and the equal power of every dollar at all times in the markets and in the payment of debts." No doubt experiment was in the air and radical experimenters might, if they were but shrewd and persistent enough, gain control of either party as opinion made head. After the party conventions had met and spoken (July 1, 1892) the Republican Senate passed a bill which provided for the free coinage of all silver brought to the mints, the repeal of the Sherman Act, and the coinage of all the bullion purchased under its terms. The Democratic House declined to consider the bill, by a vote of 154 to 136, but rather, it was suspected, because its leaders thought it prudent to await the result of the presidential election than because there lacked advocates of free coinage enough to pass it.

For the moment Democratic advocates of "free silver" stood embarrassed by their candidate. Before the nominating conventions had met Mr. Cleveland had spoken his mind very clearly, very positively, as was his wont, upon the monetary question. He had given out for publication a brief letter which spoke in terms which no one could possibly mistake against any such tampering with the standards of value as the People's party and their secret partisans within the Democratic and Republican ranks desired. His personal friends had wished him to make no public announcement of his views, had begged him not unnecessarily to commit himself upon a question upon which his nomination



INSIDE A TREASURY VAULT AT WASHINGTON. TAKING BAGS OF SILVER OUT TO BE WEIGHED

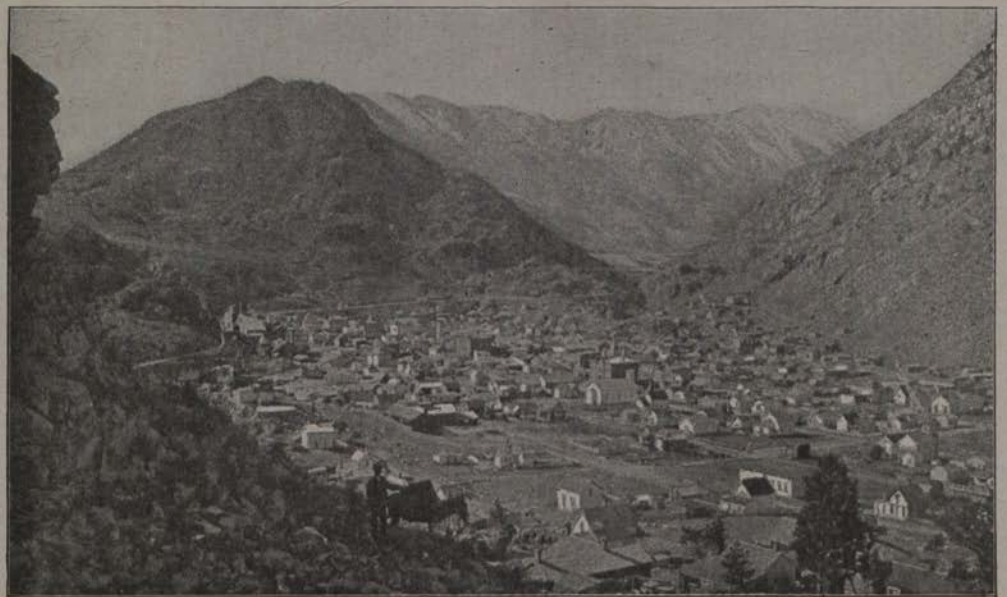
might turn; but he had rejected their counsel with a sort of scorn and had uttered his conviction in the matter with that fearless decision and that unequivocal way of speech which the country most admired in him. He had been nominated, nevertheless, taken upon his own terms, and the country's knowledge of his conviction in that critical matter had probably saved his party the discrediting suspicion which the fusion of Democrats with Populists upon the Pacific coast might have brought upon it.

The country had never needed a man of his fibre more. It had reached a sharp crisis of opinion, and crises in affairs followed fast which no man without courage and steadfast character could have swung the government clear of. The four years which followed Mr. Cleveland's second election were among the most remarkable years of peace the country had ever seen. Disorders of the most serious character, alike in business and in politics, had within that brief space their sharp culmination; foreign questions of the most delicate and critical kind unexpectedly arose; society itself seemed upheaved by forces which threatened it with lasting injury; and amidst parties which seemed without leadership or cohesion the President alone stood firm and spoke definite counsel.

The Democrats had come into power again upon a definite issue, the issue to which Mr. Cleveland had given such sharp definition in his famous message of 1887, the issue of the tariff. Upon no other matter so much as upon that had the voting turned; upon no other matter did the Democrats bear so unmistakable a commission from the country. But Mr. Cleveland saw that the matter which called first and most

MR. CLEVELAND AND HIS CABINET

imperatively for action was the financial situation of the government and of the country. The financial experiments of the last fourteen years had begun to bear fruit in abundance. There were outstanding some five hundred million currency notes of the government which it was obliged upon demand to redeem in gold; and yet even when once redeemed they were not cancelled. The law directed that they should be issued again, to come back once more, if their holders chose to present them, to be redeemed in gold. Gold was constantly demanded, and in immense sums which seemed to grow ominously from quarter to quarter, not only for profitable export and to pay foreign balances, but also as a safe fund against what might happen when the crash should come which every observant man feared to be at hand. The government was obliged by the Sherman Act of 1890 to buy four and a half million ounces of silver every month and pay for them in notes which the Secretary of the Treasury knew that he must redeem in gold on demand if he would keep panic off. So soon as the government ceased paying in gold the artificial "parity" between gold and silver which the laws sought to maintain would be destroyed; silver would, in effect, become the only standard of values, the only medium of exchange; every piece of property in the country, tangible or intangible, would lose half its value; and credit would collapse. And yet how could the government keep itself supplied with gold? Very few of its debtors were obliged to pay in that coin; it could replenish its diminishing stock only by borrowing, and could borrow only by the issue of bonds made payable "in coin" of which lenders might well grow shy as they saw politicians grow less and less



A SILVER MINING TOWN, GEORGETOWN, COLORADO

firm in their resistance to the demands of the advocates of the free coinage of silver.

It was clear enough what Mr. Cleveland thought and intended, but it was by no means clear that Congress would willingly lend him its aid. He led a party in which silver advocates abounded, men who lived remote from the seats of trade and knew nothing of its laws. It was not certain that the Republicans were any stiffer in their resistance to the pressure of radical opinion in the matter of the coinage. What might happen when it came to actual legislation by Congress who could foresee? Early in June, 1893, Mr. Cleveland announced his purpose to call Congress together in extraordinary session for the consideration of the finances. On the 26th of June the authorities of India closed their mints to the free coinage of silver, and the price of the metal dropped as it had never dropped before. On the 30th of June the President summoned Congress to meet on the 7th of August. The silver mines of the West were promptly closed, and thousands of miners were thrown out of employment, to be taken care of and become a serious menace to order in the nearby cities, into which they crowded hungry and forlorn. The greatest excitement prevailed in the West. Before Congress assembled conventions of the advocates of silver had been held in Denver and Chicago which protested vehemently against Mr. Cleveland's evident intention to have the law which obliged the Treasury to purchase silver set aside, and declared that he was acting in concert with the eastern bankers to thrust silver altogether out of use as money. They demanded that, should the Sherman Act be repealed, the free coinage of silver should be substituted. When Congress

assembled it was noted that the ordinary party lines seemed for a little while almost to disappear. The advocates of silver coinage acted together in both houses without regard to their differences upon other subjects, and acted with the ardor of men who serve a cause.

Mr. Crisp, whom the House chose Speaker, was of the

BULLION AT THE AMERICAN SMELTER, LEADVILLE, COLORADO

silver group within his party, but felt bound, as the party's official leader in matters of legislation, to give the President all the support the authority of the speakership could afford. Mr. Cleveland asked for a single, specific act of relief, the repeal of the purchasing clause of the Sherman Act of 1890, and Mr. Crisp held together as he could the members who were inclined to meet the

crisis as the needs of the Treasury seemed to demand. Public opinion out of doors pressed uncomfortably, too. Panic had already come in the money market, and the business of the country was suffering the consequences. A repealing bill was introduced on August 11th, and on the 28th was passed, by a vote of 240 to 110, so sensitively did the House feel the airs of opinion and the necessity for acting in good faith with the President for the relief of the Treasury. But the Senate would make no such show of compliance. There the silver men mustered so strong that it was not clear until the autumn had come that a majority for repeal could be obtained at all, and every delay known to the leisurely rules of the body was made use of to hold action off. Meanwhile the country took the consequences. Credit collapsed; loans could nowhere be obtained; the very currency seemed to disappear, being hoarded and kept out of the currents of trade in such extraordinary quantities that those who needs must have it were obliged to pay a premium for its use and the banks used clearing house certificates in its stead. Failure followed failure. The very processes of manufacture stood still. Business men knew not what to do. The business of the country was sound; its resources were untouched. There had been no speculative flurries, no irregular operations that could justify panic or impair confidence. Nothing was awry except the public finances: men could not be sure of the value of the money they handled. It was not certain that the government would not put all exchanges upon the silver basis. The worst was over before the Senate acted. Business of sheer necessity recovered its tone; and when at last, at the very end of October, the repeal became law, trade and manu-

facture began to stir again with reassuring evidences of returning life.

But the results of panic and failure were not stayed. A Treasury report of the 19th of October showed a falling off in the revenues, as compared with the estimates, during the preceding three months, which would mean, if continued, a deficit of $50,000,000 for the fiscal year. Every industry was slackened, imports had fallen off, foreign capitalists were withdrawing their investments. It was hardly a propitious time at which to undertake a revision of the tariff. The Democrats were pledged, nevertheless, to undertake it. That was the only reform to which they were explicitly pledged; they had majorities in both houses, and Mr. Cleveland was President. The financial legislation most immediately and imperatively needed was out of the way, and the field was apparently clear before them. They could not face the country again upon the tariff issue should they fail to redeem their promises in the matter of the reduction of the duties. The House Committee on Ways and Means had begun the preparation of a tariff bill during the special session at which the battle against the purchase of silver had been fought out, and before the time set for the regular session of December had made public the terms of the measure they meant to propose. In the House there was little difficulty in pressing it to its passage. Reported early in January, it had passed by the 1st of February, together with an internal revenue bill meant to make good the estimated reductions in the receipts at the ports. It was a genuine measure of reform. It proceeded upon the principle that the raw materials of manufacture ought for the most part to be entirely freed from duty; that there

should be throughout the whole list of dutiable articles as considerable a reduction of duties as a prudent regard for vested interests would permit; and that duties should be *ad valorem* rather than specific in order that the burden of the consumer might in every case be clearly calculable. Coal, iron ore, and sugar were put upon the free list. The internal revenue bill associated with the revision embodied, as its chief features, a tax upon incomes and an increased excise on distilled spirits.

The trouble came, as before, in the Senate. There the disintegration of the Democratic party was evident as it was not evident in the House. Senators allowed themselves to be attached to particular interests, put party pledges aside very lightly, acted like men who had forgot the compulsions of political principle and played each for his own benefit. Before the measure got out of their hands they had altered it almost beyond recognition. They had put in once more an elaborate schedule of duties on sugar, had taken coal and iron ore from the free list, had changed *ad valorem* duties to specific, and had all through the bill made alterations which increased the rates of duty proposed by the House, each senator exerting himself, as it seemed, to secure protection or advantage for the industries of his own State. The average rate of duty under the McKinley Act had been about 50 *per cent.*; the House bill had reduced it to about 35½; the changes made in the Senate increased it to about 37. It was not the general increase of rates effected in the Senate that held the attention of the country so much as the very noticeable activity of a group of senators in the interest of the sugar manufacturers and dealers. There was manifestly no thought of either party interest or public duty

Don M. Dickinson

DON M. DICKINSON

in what they did; they were acting in some private interest, it was to be feared upon some private motive,—were heeding, not their party leaders, but the representatives of a particular industry who had obtained a hold upon them which could not be shaken. Their headstrong, stubborn rejection of political obligations wrecked the Democratic programme and utterly discredited their party. The House, in despair of getting anything better, accepted the mutilated bill which came from their hands (August 13, 1894), and the President suffered it to become law without his signature.

The internal revenue Act, with its provision for an income tax, had gone through both houses as a part of the tariff measure; but it stood as law only nine months. The income tax was at once challenged in the federal courts, test cases were hurried to a conclusion, and on the 20th of May, 1895, the Supreme Court declared it unconstitutional. It was a reversal of former decisions. A tax upon incomes had been among the innumerable taxes adopted to support the war for the Union, and the court had then deemed the tax permissible. But it now took another position. The tax was, it said, a direct tax; the constitution provided that direct taxes should be apportioned among the several States in proportion to their population; and, inasmuch as this tax was not so apportioned, it was unconstitutional. Without the income tax the deficit caused by the reductions of duty just effected could not be made good, and the financial position of the government became more difficult than ever. There was not likely to be revenue enough to meet the expenditures, which Congress had voted as lavishly as if the Treasury were full to overflowing.

The repeal of the silver purchasing clause of the Sherman Act had only in small part relieved the embarrassments of the Treasury. There was still the unending difficulty of maintaining the gold reserve,

T. F. Bayard THOMAS FRANCIS BAYARD

the "endless chain" of Treasury notes coming in to be redeemed in gold and immediately paid out again to be presented at their holders' pleasure for more gold, always being paid for and yet never redeemed. The President, in a special message of the 28th of January,

1895, very earnestly requested Congress to authorize the Secretary of the Treasury to sell bonds for the replenishment of the gold reserve which should be explicitly payable in gold at their maturity and therefore sure of sale at a handsome premium, and also to authorize the retirement of the notes, instead of their reissue, upon redemption, in order to stop in part at least the inroads upon the reserve. But the houses would do nothing. The advocates of silver coinage were strong enough in both houses to block what legislation they chose, and regarded Mr. Cleveland as their arch opponent. They would allow nothing to be done to relieve the embarrassments of the administration.

For the first time since the war for the Union, for the first time in thirty-two years, the Democrats controlled both houses and the presidency; and yet Mr. Cleveland seemed like a President without a party. Some attributed it to his lack of tact, his aggressive independence in action, his too confident initiative, his way of using his power as if he were under no obligation to his party associates to consult or consider them. He did, in fact, hold upon occasion very strictly to the literary theory of the constitution, the theory which the makers of the constitution had accepted from M. Montesquieu. He regarded the legislative and executive departments of the government as by intention set apart from each other and meant each to exercise an independent judgment and discretion in the performance of the duties which fell to it, co-operating, indeed, but not compounding, not parts of a party system, ministry and majority, but the balanced checks of a carefully devised mechanism of legal action. He had never had the point of view with regard to executive functions which is natural to a

member of a legislative body. As mayor, as governor, and as President, he had always conceived it his function to check legislative action rather than guide it, had thought of himself always as an administrative officer, not as a party leader. It was noticeable that he made

WILLIAM FREEMAN VILAS

up his cabinets upon that theory. In his first cabinet there had been men like Mr. Thomas F. Bayard, of Delaware, Mr. Lucius Q. C. Lamar, of Mississippi, Mr. William F. Vilas, of Wisconsin, and Mr. Don M. Dickinson, of Michigan, who had been chosen in accordance with well recognized precedents in such matters: because of their service in party counsels; but the rest were men, so far as might be, of his own personal selection, whom he chose, not for their influence

among politicians or in political canvass, but because he knew their efficiency as men of business. In his second cabinet the element of personal choice was still more noticeable. The Secretary of State had been a distinguished federal judge, and had been in the cabinet of Mr. Arthur,—had but the other day turned from his former Republican associates to support Mr. Cleveland, a fresh recruit in the Democratic ranks. The Secretary of War had in his previous administration been Mr. Cleveland's private secretary. The Postmaster General had been his partner in Buffalo in the practice of law. The Attorney General was one of the leaders of the bar of Massachusetts, no politician, a great lawyer merely. The President's object was to surround himself, not with a party council, but with capable heads of departments.

No doubt he seemed to members of his party in Congress a trifle too separate and absolute. He did not seem to regard it as any part of his constitutional business to be forever arranging agreements between the Executive and the houses. He held to a very strict principle of duty in every matter upon which he was approached, deeming his connection with his party in some sense broken or suspended so long as he was President, in order that he might serve the country as a whole without any too sensitive scruples as to the effect of his decisions upon coming elections. It was inevitable, since he held himself so and swung free of party advice when he pleased, that he should seem to put his own judgment above that of the congressmen who approached him. Sometimes he would patiently confer, persuade, and come to terms of agreement; but at other times he would decline with a noticeable touch

of impatience to take any part in the arrangement of legislative plans, and in effect bid members of the houses go their own way while he went his.

But his action in such matters grew out of the situation in which he found himself as much as out of his theory with regard to his office and his natural tem-

L. Q. C. LAMAR

perament in dealing with men who did not act upon fixed conviction, as he did, but rather upon considerations of political or personal expediency. His party was in fact going to pieces and turning away from him, under the compulsion of forces over which he had no control. The business of the country had fallen dull and inactive because of the financial disquietude of the time. A great poverty and depression had come

upon the western mining regions and upon the agricultural regions of the West and South. Prices had fallen; crops had failed. Drought swept the western plains clean of their golden harvests. Farmers in the districts most stricken could not so much as buy clothes for their backs, and went clad in the sacks into which they would have put their grain had they had any, their feet wrapped about with pieces of coarse sackcloth for lack of shoes. Men of the poorer sort were idle everywhere, and filled with a sort of despair. All the large cities and manufacturing towns teemed with unemployed workingmen who were with the utmost difficulty kept from starvation by the systematic efforts of organized charity. In many cities public works were undertaken upon an extensive scale to give them employment. In the spring of 1894 "armies of the unemployed" began to gather in the western country for the purpose of marching upon Washington, like mendicant hosts, to make known to the government itself, face to face, the wants of the people. The dramatic plan seems to have been originated by one Coxey, of Massillon, Ohio, who announced that he would lead an "Army of the Commonweal of Christ" to Washington to propose that the government issue $500,000,000 in greenbacks to be paid out for work upon the public roads, in order that the country might at one and the same time be supplied with serviceable highways and abundant money. On the 25th of March he actually set out, and by the 1st of May was at the capital. A hundred men began the journey with him, and their ranks had swelled to three hundred and fifty by the time they entered Washington. They made no disturbance. Most of the towns and villages on their

COXEY AND HIS ARMY APPROACHING WASHINGTON

way supplied them with food, partly out of charitable good humor, partly in order to speed them on their way and be quit of them, lest they should linger or grow ugly in temper; good natured sympathizers and men who wished to see the comedy played out subscribed funds for their most urgent needs. The painful farce was soon over. Their errand of course came to nothing. They reached Washington to find that there was nothing that they could do, and dispersed. But their example was imitated with less harmless results. Other "armies" gathered, in more sullen mood, to take their turn at marching and living upon the country as they went. Some started from the faraway coasts of the Pacific. Railway trains were seized to afford them transportation across the mountains and across the long plains where marching would be most painful, tedious,

and unprofitable. Country-sides experienced a sort of panic at their approach. It began to seem as if there were no law or order in the land. Society itself seemed demoralized, upset.

It was in such an atmosphere that political opinion altered, that parties dissolved and were reconstituted with many a novel purpose of reform. And yet the President moved in all matters which it fell to him to act upon with a vigor and initiative which made the years memorable. Strikes had been added to the other disturbances of the time. From April until June, 1894, a strike of the bituminous coal miners, two hundred thousand strong, threatened to embarrass the industries of the whole country. Many manufacturing establishments were obliged to close for lack of fuel.

COXEY BEING ESCORTED FROM THE CAPITOL

Some of the railways seized the coal which they were carrying as freight for use in feeding the fires of their locomotives. On the 11th of May a strike of the em-

GEORGE M. PULLMAN

ployees of the Pullman Car Company, of Chicago, began which presently became a very formidable affair. The strikers and their sympathizers mustered in dangerous numbers and made concerted effort to prevent the use of the cars of the Pullman Company by any of the rail-

ways running out of Chicago. Their violence seemed about to stop all traffic on the western roads, and Mr. Cleveland intervened. The governor of Illinois had not asked for his aid, had not even called out the militia of the State to maintain order and protect property,—sympathized, indeed, with the strikers and resented interference. Neither had the federal courts acted or asked for assistance in the execution of their writs. Mr. Cleveland deliberately took the initiative and assumed the responsibility, on the ground that the strikers were preventing the movement of the mails and blocking the course of interstate commerce, and that the carrying of the mails and the protection of commerce between the States were indisputable duties of the federal government. He ordered federal troops to the points of greatest violence and danger, and, when their mere presence and mere action as armed police did not suffice to check the mobs that aided the strikers, he issued a proclamation which practically declared the disturbed regions in a state of insurrection and threatened merciless action against all rioters as against public enemies. Order was restored and the law prevailed again.

In foreign affairs Mr. Cleveland exhibited the same firmness and decision, and had given the country a touch of his quality at the very outset of his term of office. One of his very first acts had been to withdraw from the docket of the Senate the treaty which Mr. Harrison had submitted to it for the annexation of the Hawaiian Islands to the United States. That treaty was the culminating transaction of a singular revolution. The Hawaiian Islands were subject to a sovereign queen whose power had been reduced by constitutional changes to the merely administrative function of exe-

THOMAS BRACKETT REED

cuting the laws passed by a representative chamber, to which, and not to herself, her ministers were responsible. Property and political power in the Islands had, by

LILIUOKALANI, QUEEN OF HAWAIIAN ISLANDS

processes which seemed to change the very character of the kingdom, come chiefly into the hands of foreigners; and in January, 1893, the queen determined to promulgate, upon her own sole authority, a new constitution which should deprive them of the suffrage and

bring the legislature again under the control of the crown. The foreigners at Honolulu, the capital, chiefly Americans, at once bestirred themselves to defeat her purpose and get the government into their own hands, and the resident minister of the United States lent them his open aid. Marines and pieces of artillery were ordered on shore from a United States man-of-war lying in the harbor; under their protection a revolutionary provisional government was set up which thrust the queen aside "until terms of union with the United States had been negotiated and agreed upon"; and on the 16th of February, 1893, but a little more than two weeks before the expiration of his term as President, Mr. Harrison hurried a message to the Senate submitting an annexation treaty and recommending its ratification. Meantime, on the 9th of February, the minister of the United States at Honolulu, acting without instructions, had proclaimed a protectorate of the United States over the Islands.[1]

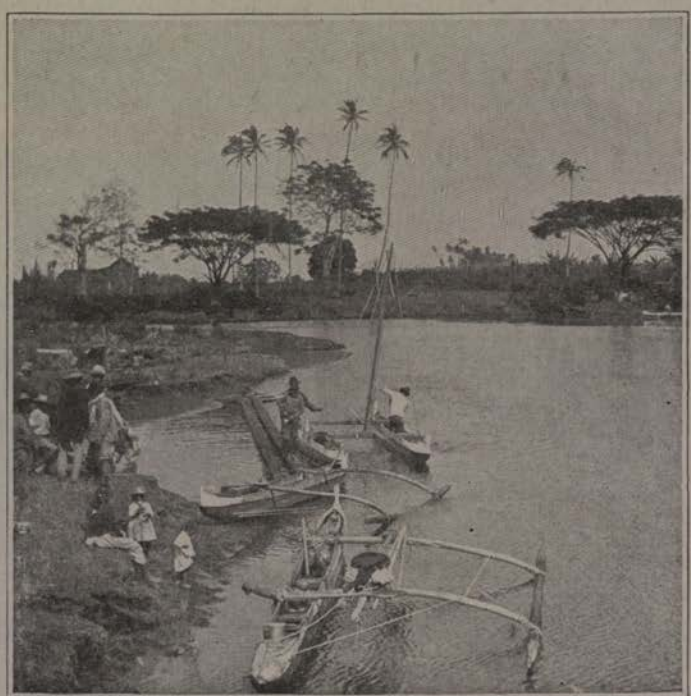
On the 4th of March Mr. Cleveland assumed the presidency, and promptly withdrew the treaty. A commissioner was at once despatched to Hawaii to ascertain the full facts of the extraordinary transaction, and on the 18th of December, 1893, the President submitted his report to Congress, accompanied by a message in which he emphatically repudiated and condemned what the minister of the United States had taken it upon himself to do in the name of his government to put the revolution afoot. Had the displaced queen consented to a general amnesty and security of rights as the condition of her restoration, as Mr. Cleveland proposed, he would have undertaken to undo what the minister had done; but she would consent to no terms

[1] See page 288.

GOVERNMENT BUILDINGS, HONOLULU

whatever, and all things stood as they were, in the hands of the provisional government, self-constituted and born of revolution.

Eighteen months elapsed, the country saw the anx-

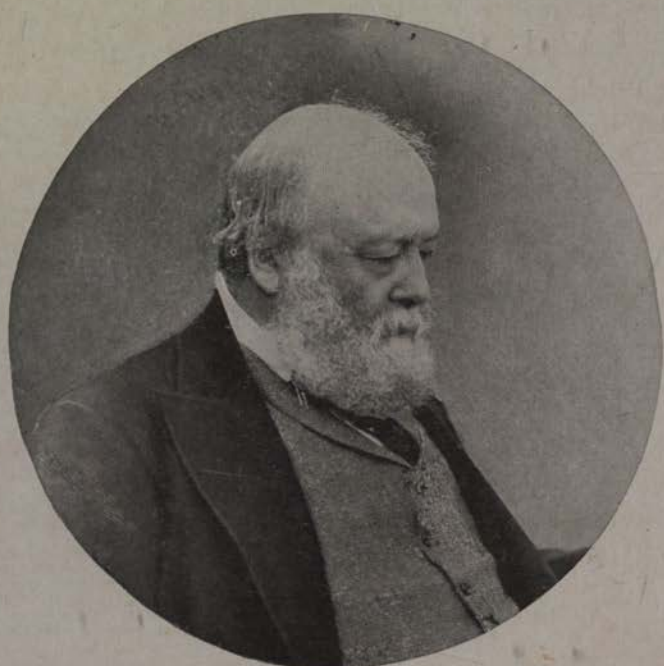


SETTING OUT FOR A DAY'S FISHING, HAWAII

ious summer of 1894, another winter brought the Treasury of the United States once again within sight of an exhaustion of its supply of gold, and then (July–December, 1895) a question of foreign policy came under the President's hand which might have embroiled two kindred nations in a great war. Once more the singular energy and decision of Mr. Cleveland's character were

made evident, and the country was thrilled. For year after year through a long generation the English government had disputed with the government of Venezuela the western boundary line of British Guiana. From stage to stage of the controversy the line of the British claims had been pushed forward. Again and again, through one administration after another, the government of the United States had used its good offices to bring the controversy to a pacific and satisfactory conclusion. Ever since the famous declaration of Mr. Monroe, in 1823, it had been understood that the government of the United States would make it its business to see to it that no European power extended its dominion or acquired fresh territory in the Americas. It had not undertaken to maintain an actual formal protectorate over the South American states, but it did frankly undertake to act as their nearest friend in the settlement of controversies with European nations, and no President, whether Republican or Democratic, had hesitated since this critical dispute concerning the boundaries of British Guiana arose to urge its settlement upon terms favorable to Venezuela. The government at London had put settlement off, had frequently shifted its ground in the controversy, had always spoken of moderation, and yet had conceded nothing, had refused arbitration and yet had proposed no terms which it was possible for the Venezuelan government to accept. Endless irritation had led to no issue, and the matter seemed without term or solution when Mr. Cleveland uttered the word that concluded it. Earnest and repeated representations to Lord Salisbury having proved of no avail, Mr. Cleveland sent to Congress on the 17th of December, 1895, a message in which he set forth

in unmistakable language what he believed to be the duty of the United States in the protection of Venezuelan rights.[1] He had urged arbitration upon Lord Salisbury, as the most equitable, indeed the only possible, means of settling so old and so tangled a controversy;



THE MARQUIS OF SALISBURY

Lord Salisbury had declined arbitration and every settlement except that which conceded the full claims of England; it was necessary, therefore, the President declared, that the government of the United States should ascertain for itself the merits of the controversy, and, having reached a conclusion, insist upon its acceptance at whatever cost.

[1] See page 295.

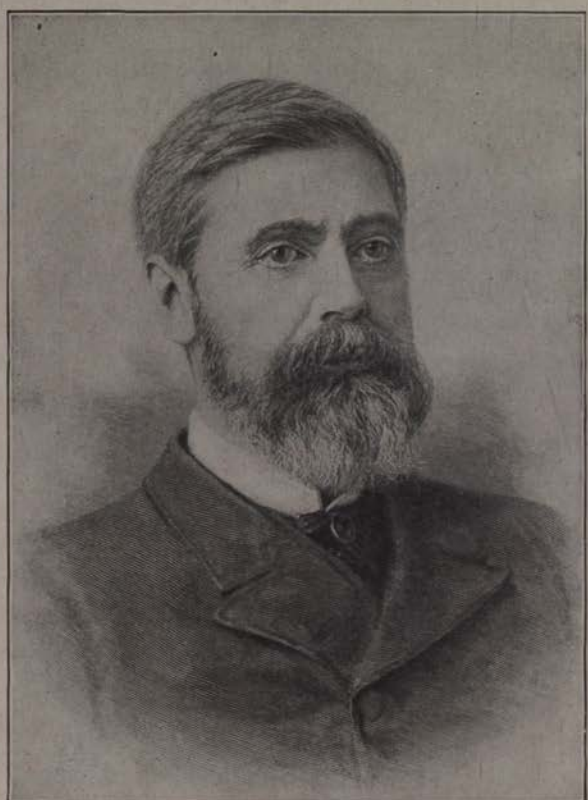
A thrill of intense excitement and enthusiasm shot through the country. Neither house of Congress was any longer of the President's party. The autumn elections of 1894 had replaced the heavy Democratic majority of 1892 by a Republican majority of one hundred and forty in the House of Representatives, and radical reversals of the majorities in the States had given the Senate also once more into the hands of the Republicans. But the houses forgot party differences in their eager and instant response to the President's Venezuelan message. Within three days after its receipt money had been voted for the commission of inquiry for which he asked, and all the world was apprised how ready the Congress was to support the President to the very utmost in his new and vigorous assertion of the Monroe doctrine. Thoughtful men knew very well how grievous a thing it would be to see the two kindred nations which stood so hopefully together at the front of the world's progress come to the awful grapple of war; no right-minded man in his senses wished to see so signal a catastrophe, least of all the President himself. He was a man of peace; but he deemed peace to be rooted in justice and feared it to be impossible with a nation which rejected the friendly offices of arbitration in a case like this that had arisen. He had in mind, too, the peculiar relations which the government over which he presided had always borne to the states of South America in respect of their dealings with the nations of Europe, and knew that he could not in fidelity relax the rigor of the principle upon which it had these seventy years been its avowed policy to act. It was that, his assertion of the Monroe doctrine in a new aspect, with a new dignity, even if with a new rigor, that caught

the almost passionate enthusiasm of the country, and made war unnecessary. Lord Salisbury yielded; the dispute was submitted to arbitration; and Mr. Cleveland had a great triumph. He had exposed a hidden question to the public opinion of two nations, and that opinion had supported him and rebuked Lord Salisbury.

Mr. Cleveland pushed his belief in arbitration far beyond the individual instance. In the spring of 1895, Mr. Gresham, then Secretary of State, had suggested to Her Majesty's government a general treaty of arbitration in which the two governments should pledge themselves to submit all serious matters of dispute that might arise between them to settlement by an impartial outside tribunal; the sudden heat of the Venezuelan controversy quickened the desire on both sides of the water to carry the plan into execution; and on the 11th of January, 1897, the President had the satisfaction of seeing such a treaty completed and signed. But the Senate rejected it. Mr. Cleveland's term of office came to an end within two months after the exchange of signatures, and a Republican President succeeded him while the treaty pended. The new President urged the treaty upon the Senate as he had urged it, but it was rejected, notwithstanding. The Senate would not bind the government to submit its interests in all cases to the decisions of an outside tribunal, and the careful diplomatic work of two governments went for nothing.

Those closing days of the Democratic administration were darkened by perplexities of foreign policy essentially more serious and difficult to handle than any that were likely to arise between the governments of the United States and Great Britain. The difficulties of Spanish rule in Cuba were growing in

tolerable. Sharp insurrection had broken forth there in the spring of 1895. It was but seventeen years since



WALTER QUINTON GRESHAM

the last uprising in the island, which had lasted the ten years 1868–1878, and which had been brought to a conclusion only by promises of radical reform in the

Spanish administration. Those promises had not been kept. The reforms instituted had proved delusive. The island was taxed to the uttermost farthing for the support of the army and navy and of the host of Spanish officials who throve as placemen in the innumerable offices of administration. The suffrage that had been granted the native inhabitants and the privileges of self-government which had been accorded them were effectually offset by laws which really put their affairs at the disposal of the Captain General who was their governor; and men who were not within the circles of official influence complained that they could get no privilege, enforce no right, even, which they did not pay for in hard cash. A mere petty fraction of the intolerable taxes they paid was expended upon the public works of the island itself. There seemed no way of reform except by revolution, and no hope even in revolution unless its object were absolute independence. The Spanish government met the insurrection with savage measures of suppression. In January, 1896, Don Valeriano Weyler was made governor and Captain General of the island, and proceeded to take measures of repression which shocked the humane sense of all civilized peoples looking on. Finding that it made no end of resistance merely to harry the country with its fastnesses of forest, swamp, and mountain, he began to destroy every village and habitation of the insurrectionary districts and to drive the women and children who inhabited them into camps of "concentration," where they might be kept under guard and surveillance and held off from giving succor or intelligence to the insurgents, in order that the country might be empty and without homely shelter; and he did not take the

precautions of mere prudence and mercy which were necessary to keep fatal diseases and pitiful starvation out of the camps, but let the poor creatures huddled there live for the most part as they could.

DON VALERIANO WEYLER

Opinion moved very uneasily in the United States at sight of such things and the President had no mind to ignore them. No one could pretend that it was, or that it ought to be, a thing indifferent to the United States to have chronic rebellion and suffering thus perpetuated from year to year in a populous island lying

at their very doors, to which their people were closely bound by trade and all the intimate intercourse of neighbors. Fatal fevers had again and again crossed the narrow waters out of Cuba to the southern ports of the United States because the Spaniards would not look to the proper sanitation of the great towns which lay by the island's harbors, and these distempers of revolution seemed as ill to take the wind of as the fevers themselves. Mr. Cleveland spoke very gravely in his annual message of December, 1896, of the necessity of bringing affairs in Cuba to a final pacification and adjustment. "It cannot be reasonably assumed," he said, "that the hitherto expectant attitude of the United States will be indefinitely maintained. While we are anxious to accord all due respect to the sovereignty of Spain, we cannot view the pending conflict in all its features and properly apprehend our inevitably close relations to it, and its possible results, without considering that by the course of events we may be drawn into such an unusual and unprecedented condition as will fix a limit to our patient waiting for Spain to end the contest, either alone and in her own way, or with our friendly co-operation." The phrases were guarded but the meaning was plain. Spain must come to some terms of accommodation with her Cuban subjects or the United States must intervene. Every private effort of negotiation had been made to bring peace and concession; the government's words of protest began now to be spoken aloud and before the world.

It was not yet time to act, and the guidance of action, should action become necessary, must fall to other men. The end of Mr. Cleveland's anxious term was at hand. He left his great office as if with a sense of relief.

His party had turned away from him. For two years he had carried the burdens of the government alone. The Republican houses elected in 1894 would do nothing more to make his tasks possible than the Democratic houses had done. Again and again he had asked their assistance in the relief of the Treasury, to protect the gold reserve and steady the business of the country. Plan after plan had been matured by the Secretary of the Treasury, Mr. Carlisle, and the President had sought by every possible means to serve thoughtful opinion and right purposes of reform with regard to the finances. But Congress would accept nothing that he proposed. He had been left to come to what agreements he could with the great bankers of Wall Street for the protection and replenishment of the gold reserve, they alone being able, without legislation, to assist him in that matter. He was obliged to bargain with them like any other borrower to obtain the gold the Treasury needed and control the draughts the banks in their turn made upon it. The strain of the responsibility had been grievous to bear: the whole fabric of credit seemed to rest upon the foundations which he kept so laboriously in repair, and the months seemed very long while the doubtful work went on. When the end came he felt that he had earned his rest and quiet retirement.

The elections of 1896 had shown, in a fashion the country was not likely to forget, the volcanic forces which had been kept but just beneath the surface while he was President. The issue which had dominated all the rest was the question of the coinage. But that question did not stand alone. It seemed, indeed, but a single item in the agitated thought of the time. Opinion everywhere seemed to have broken from its old moor-

ings. There had been real distress in the country, long continued, hopeless, as if the springs of wealth and prosperity were dried up. The distress was most marked and apparently most hopeless in the great agricultural areas of the South and West. The prices of agricultural products had fallen so low that universal bankruptcy seemed to the farmers to be but a little way off. There was a marked depression in all kinds of business, as if enterprise were out of heart and money nowhere to be had except among a few great capitalists in Wall Street. Men's minds anxiously sought the cause, and each man reasoned upon it in the light of his own observation and experience, taking his views of matters which lay beyond his own life from the politicians who spoke most plausibly of public affairs. Every established relationship of law and of society fell under question. Did not the law too much favor the combinations of capital by which small dealers and producers were shut out of the markets? Were the courts not on the side of those who had privilege, and against those who had none? Were not the railways the real masters of the producer everywhere, able to make or to unmake him by their charges and discriminations? Was not money scarce because the government would issue none that was not kept to the standard of gold, itself too scarce, too artificially costly to be made the universal medium of exchange?

The money question was but one of the innumerable questions that crowded into men's minds in that time of agitation, but it seemed the question which lay at the centre of all the rest, and it more than any other gathered passion about it. Men do not think with cool detachment about the financial questions which

touch their very means of subsistence. They were easily persuaded that money would be more plentiful, for the individual as for the nation, if scarce gold were abandoned as the exclusive standard of value and abundant silver substituted, so that there should be metal currency enough for all; and they were easily beguiled to dream what a blessed age should come when the thing should have been done. They were not studious of the laws of value. They knew that the resources of the country were abundant, that its prosperity came from its own skill and its own wealth of rich material, and that it was getting a certain predominance in the markets of the world. They could not see why it should not be sufficient unto itself, why its standards of value should not be its own, irrespective of the practice of other countries, why its credit should be affected by the basis upon which the currency of other countries rested, or why international trade should dominate its domestic transactions. All the world had in fact become at last a single commercial community. No nation, least of all a nation which lived by trade and manufacture, could stand aloof and insist that an ounce of gold should not be considered more valuable than sixteen ounces of silver when mere fact was against it and the free law of supply and demand worked its will despite the statutes of legislatures. But very few men who did not actually handle the trade of the world saw the inexorable laws of value as they existed in fact. It went naturally with the vast extent of the continent that most men were shut off from a sight of the international forces which governed their economic interests, and a very passion of belief had got abroad that all the economic stagnation of the times could be relieved by the

free coinage of both gold and silver at the ratio of sixteen to one.

It was no ordinary political opinion such as might in any election year come forward to dominate men's votes. It set men's minds on fire, filled them with an eager ardor like that of religious conviction, impelled them to break old associations and seek new comradeships in affairs. Party lines were cut athwart. The Republicans no doubt had their chief strength in the central and eastern States of the Union, where trade and manufacture moved strongest and men were most apt to understand the wide foundations of their business; the Democrats drew their support, rather, from the South and West, where disturbing changes of opinion had long been in progress and where radical programmes of relief were most apt to be looked upon with favor; and yet it was by no means certain that these new opinions upon the money question had not touched Republican voters too deeply to make it prudent for their leaders to take high ground of opposition against them. An extraordinary campaign of propaganda had been begun before the year of the presidential election came on. The advocates of the free coinage of silver were early afoot, with the ardor and irresistible zeal of veritable crusaders, to overcome dissent in both parties alike and force the country to a common view. A great national conference of silver advocates had been convened at Washington in March, 1895, and had marked the beginning of an organized movement which was carried forward with extraordinary vigor and effect, to control the action of the party conventions. As the year of the elections lengthened towards summer State after State in the South and West declared unequivocally for free coinage.

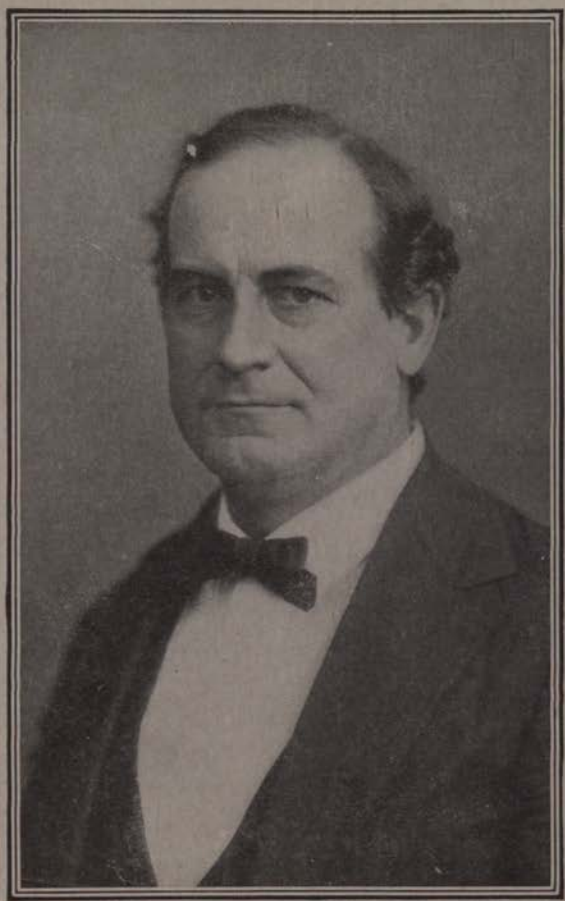
and conservative men everywhere waited with a deep uneasiness to see what the leaders of the national parties would do.

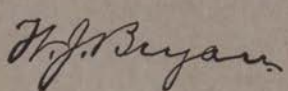
The Republican convention met first, and in it the advocates of the gold standard won. The convention declared itself "unalterably opposed to every measure calculated to debase our currency or impair the credit of our country, and therefore opposed to the free coinage of silver except by international agreement with the leading commercial nations of the world." Its choice of a candidate for the presidency was not quite so definite an evidence of its purpose with regard to the currency as the words of its platform. It nominated Mr. William McKinley, recently governor of Ohio, and known to all the country for his long service in the House of Representatives, especially as chairman of the Committee of Ways and Means which had formulated the tariff of 1890 against which the Democrats had won at the polls in 1892. Mr. McKinley had more than once spoken and voted on the silver question, and had not shown himself unwilling to consider very seriously the claims of the advocates of the cheaper metal as a standard of value. They had accounted him, if not a friend, at least no determined opponent, at any rate of some of the measures upon which they had set their hearts. But there was no doubt of his great credit with his party as a man and a leader, and his explicit acquiescence in the principles of the platform upon which he had been nominated satisfied the country of his good faith and conservative purpose. The issue was definitively made up.

Three weeks later the Democratic convention demanded "the free and unlimited coinage of both gold

and silver at the present legal ratio of sixteen to one, without waiting for the aid or consent of any other nation," and nominated Mr. William Jennings Bryan, of Nebraska, for the presidency.[1] It acted with singular excitement and swung sharply away from conservative influences. It denounced what Mr. Cleveland had done to save the gold reserve and to check the riots at Chicago as hotly as any Republican policy; spoke of the decisions of the Supreme Court of the United States against the income tax as if it advocated a change in the very character of the court, should power come to the party it represented; and uttered radical doctrines of reform which sounded like sentences taken from the platforms of the People's party. Its nomination for the presidency was significant of its temper and excitement. Mr. Bland, of Missouri, one of the older leaders of the party, and a man whose name all the country knew to stand for the advanced doctrines of free coinage, had at first led in the balloting. Mr. Bryan, though he had been a member of Congress and had spoken in the House upon the coinage question, had made no place of leadership for himself hitherto, was unknown to the country at large and even to the great mass of his fellow partisans, and had come to the convention with the delegation from Nebraska unheralded, unremarked. A single speech made from the platform of the convention had won him the nomination, a speech wrought, not of argument, but of fire, and uttered in the full tones of a voice which rang clear and passionate in the authentic key of the assembly's own mood of vehemence and revolt. It was a thing for thoughtful men to note how a mere stroke of telling declamation might make an unknown, untested man the nominee of

[1] See page 304.





WILLIAM JENNINGS BRYAN

a great party for the highest office in the land, a popular assembly being the instrument of choice.

The People's party also accepted Mr. Bryan as its candidate. It uttered in its platform some radical purposes which the new Democratic leaders had not adopted, but it did not require its candidate himself to accept them. It recognized the coinage issue as the chief question of the moment, and was willing that he should be its spokesman in that. Parties were singularly confused and broken. Two weeks after the Democratic convention a considerable body of Republicans, advocates of the free coinage of silver, rejected in the counsels of their own party, assembled in convention at St. Louis, calling themselves the National Silver party, and there in their turn endorsed the candidacy and the views of Mr. Bryan. Early in September an influential body of men out of the Democratic ranks came together in convention at Indianapolis, calling themselves the National Democratic party, and formulated once more what conservative men believed to be the true traditional doctrines of the Democratic party upon questions of taxation, revenue, and coinage. Men of strong party faith hardly knew which way to turn. The great deep seemed broken up, old landmarks swept away, parties merged, confused, dispersed. Only the Republican party preserved its full historical identity. Its opponents were united in novel, uncertain, motley assembly; it was at least compact and definite.

The money issue seemed the only issue of the campaign. Party orators spoke often of other things, but upon that they grappled in close, stubborn, impassioned argument. The country had never seen such a struggle to rule opinion. Such excitement, such a stirring of

the moral and intellectual forces of the country, on the one side as if to regenerate society, on the other as if to save it from disruption, had never before marked a political campaign. The election even of 1860 had been preceded by no such fever of agitation. The Democrats and their allies had the dramatic advantage. Their candidate made a gallant figure wherever he moved, and went up and down the country, as no presidential candidate before him had ever done, to give the people his own striking version of the doctrines he preached. To the excited crowds which pressed about him he seemed a sort of knight errant going about to redress the wrongs of a nation. There could be no mistaking his earnestness or his conviction or the deep power of the motives to which he appealed. His gifts were those of the practised orator, his qualities those of the genuine man of the people. His strong, musical voice carried his message to the utmost limits of any throng, and rang in a tone which warmed men's blood. There could be no doubting the forces of conviction which lay back of him. Very likely there were many charlatans in the convention which nominated him, and men who acted upon mere expediency, but the crowding ranks in that hall had been made up for the most part of men who deeply believed every word of the radical programme they put forth; and the great throngs out-of-doors who cheered the sentences of that platform with full-throated ardor cheered because they also believed. No one could deny that the country had fallen upon evil times, that the poor man found it harder than ever to live, and that many a law needed to be looked into which put the poor at a disadvantage. The country teemed with men who found themselves handicapped in all they tried to do,—they

could but conjecture why. It was no new thing that multitudes, and multitudes of sensible men at that, should think that the remedy lay in making new laws of coinage and exchange. The battle was to be won by argument, not by ridicule or terror or mere stubbornness of vested interest.

It was won by argument. The country had never seen such a flood of pamphlets, such a rush of every man who could speak to the platform, of every man who could write into the columns of the newspapers and the pages of the magazines. It was in the last analysis a contest between the radical and the conservative forces of the country, and the conservative forces won. The election day, the 3d of November, saw more than fourteen million votes cast, and of these more than six and a half million were cast for Mr. Bryan. Mr. McKinley received 7,111,607. Every State north of the Ohio and the Potomac and east of the Mississippi gave its electoral votes to the Republican candidate, some of them, like New York and New Jersey, by unprecedented majorities. West of the Mississippi the Republicans carried Minnesota, Iowa, North Dakota, Oregon, and California, and south of the Ohio and Potomac West Virginia and Kentucky. Even in North Carolina and Tennessee the Republican vote leaped up in significant strength. Nowhere did the tide of Democratic votes run as the tide of Republican votes ran in the States where opinion rallied strong to maintain the established foundations of business. Republican majorities were returned again, also, to both houses of Congress; and no one could doubt the verdict of the country.

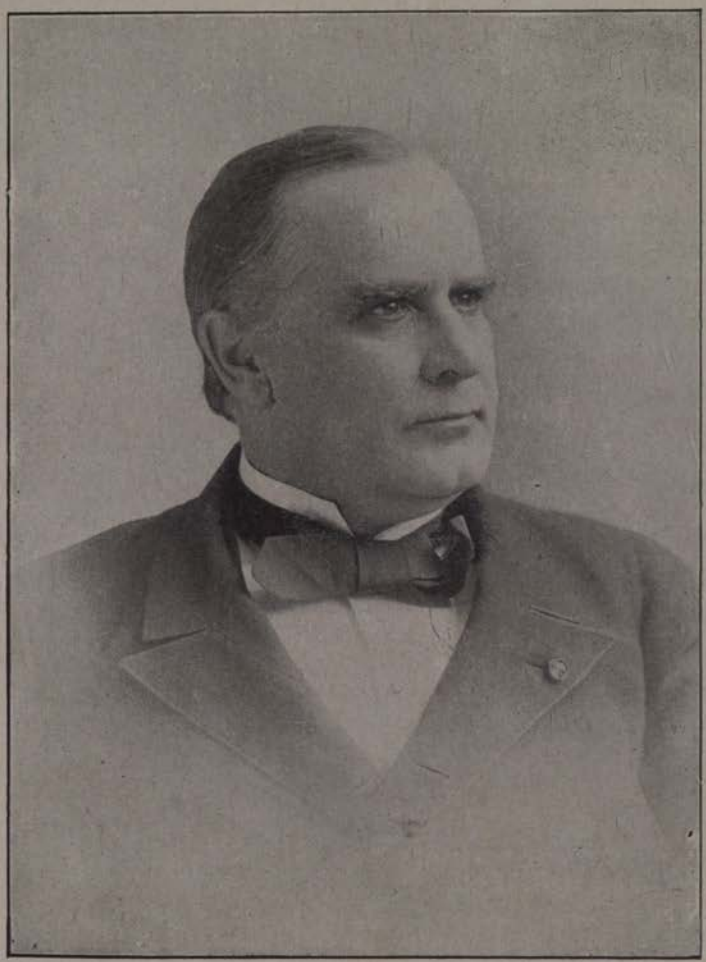
It was a singular thing how the excitement subsided

when the sharp contest was over and the result known. Never before, perhaps, had there been occasion to witness so noteworthy an illustration of the peaceable fruits of untrammelled self-government, the cheerful, immediate, hearty acquiescence of a self-governing people in the processes of its own political life. Not a tone of revolt was to be heard. The defeated party was content to await another election and abide by the slow processes of argument and conviction, and affairs went forward almost as if with a sense of relief on both sides that the fight had been fought out and settled. Business took heart again. Whatever might be said for or against the free coinage of the two money metals at a ratio which was not the actual ratio of their real relative values, definite assurance as to the policy to be pursued was an indispensable prerequisite to the confident carrying forward of business enterprises; and the verdict of the country had at last been given so decisively that capitalists need, it seemed, have no uneasy misgivings even with regard to the next election, when another four years should have gone by.

And yet the air had not cleared entirely; the task of the party now restored to full power was not simplified by the mere vote of the people. Questions of internal war and peace were, indeed, past, forgotten. In March, 1896, the houses, Republican though they were, had taken from the statute book the only fragment that remained of confederate disabilities, enacting "That section twelve hundred and eighteen of the Revised Statutes of the United States, as amended by chapter forty-six of the laws of 1884, which section is as follows: 'No person who held a commission in the Army or Navy of the United States at the beginning of

the late rebellion, and afterwards served in any capacity in the military, naval, or civil service of the so-called Confederate States, or of either of the States in insurrection during the late rebellion, shall be appointed to any position in the Army or Navy of the United States,' be, and the same is hereby, repealed." It was the final "Act of Oblivion"; affairs would never again turn back to that day of bitterness and strife. It might be that even the deep agitation with regard to the money question was quieted. But no one could think that the influences which had stirred that troublesome question to such a heat had been set aside by the mere suffrages of the voters.

Obviously the business world, the whole world of industry, was in process of revolution. America, in particular, had come to the crisis and turning point of her development. Until now she had been struggling to release and organize her resources, to win her true economic place in the world. Hitherto she had been always a debtor nation, her instruments of industry making and to be made, her means of transportation, the vast systems of steel highways which were to connect her fields and factories with the markets of the world, as yet only in course of construction. At the close of the civil war there were but thirty-five thousand miles of railway upon all the vast spaces of the continent; there were one hundred and fifty thousand more to add before its products and manufactures could be handled freely in the world's exchanges, and for that vast increase foreign as well as domestic capital had to be borrowed by the hundreds of millions. Except what her fields produced, the country had as yet but little with which to pay the interest and the capital of her debts:



WILLIAM McKINLEY

her fields were in some sense the granary of the world. As agricultural prices fell it required more and more food stuffs to pay her balances. In those fatal years of depression, 1893–1896, when business threatened to stand still because of the state of the currency and the crops fetched little more than would pay for their carriage, it was necessary to pay huge foreign balances in coin, and $87,000,000 in gold had had to be shipped over sea to the country's creditors in a single twelvemonth (1893). It was that extraordinary drain that made Mr. Cleveland's task next to impossible, to keep the Treasury reserve unexhausted and yet sustain the currency with gold payments. Not until the very year 1897, when the new Republican administration came in, did the crisis seem to be past. The country had at last built its railway and manufacturing systems up, had at last got ready to come out of its debts, command foreign markets with something more than its food stuffs, and make for itself a place of mastery. The turning point seemed to be marked by a notable transaction which took place the very month Mr. McKinley was inaugurated. In March, 1897, a great consolidation of iron-mining properties, foundries, steel mills, railroads, and steamship lines was effected which brought the country's chief supplies of iron, its chief steel producing plants, and its chief means of transporting steel products to the markets of the continent and of the world under a single organization and management, and reduced the cost of steel to a figure which put American steel factories beyond fear of competition. Steel had become the structural stuff of the modern world. Commanding its manufacture, America might command the economic fortunes of the world.

It was this new aspect of industry that disclosed the problems Republican and Democratic statesmen were to face for the coming generation. The concentration of capital was no new thing; but the new scale upon which it now began to be effected made it seem a thing novel and unexpected. The control now of this industry and again of that by small groups of capitalists, the growth of monopolies, the union of producers in each line of manufacture for the purpose of regulating prices to their own liking and profit, had been familiar circumstances, familiar signs of the times, these twenty years. The farmers had seen them and had formed their granges, their Alliances, their People's party to protect their own interests, by combination and political agitation, against the huge corporate powers that seemed to be gathering for the conquest of fortune. The industrial workingmen had seen them and had widened their organizations to meet the threat of subjection. The great strikes which followed one another, summer by summer, with such significant regularity were but the reflex of what was taking place in Wall Street, where huge combinations of capital were being arranged; at the manufacturing centres of the country, where the interests of producers were being pooled; at railway centres, where great systems of transportation were being drawn together under a single management. Mines, factories, railways, steamships were now, it appeared, to be brought into one corporate union as a single business. It was the culmination of the process, and seemed to put a new face on all that had gone before, on all that was to follow.

No wonder thoughtful men, as well as mere labor agitators, grew uneasy and looked about them to see

what control the law could exercise. No doubt there was risk of deeply serious consequence in these vast aggregations of capital, these combinations of all the processes of a great industry in the hands of a single "Trust." No doubt they did give to a few men a control over the economic life of the country which they might abuse to the undoing of millions of men, it might even be to the permanent demoralization of society itself and of the government which was the instrument of society in the conduct of its united interests. The programmes of socialists and extremists proposed a remedy which was but a completion of the process: the virtual control of all industry and of all the means of transportation by the government itself. The leaders of the People's party, though they professed no socialistic doctrine, demanded government ownership of the railway and telegraph lines of the country, and their expressed desire with regard to the control of "Trusts" smacked of the extremest purposes of experiment in the field of legislation. The Interstate Commerce Act had been a beginning, a very conservative beginning, in the carrying out of what they wished to see undertaken. Neither the leaders of the Republican party nor the leaders of the Democratic party felt that such impulses of reform, such counsels of restriction could be entirely ignored; but neither party saw as yet the prudent and practicable lines of action. It would not do to check the processes which were adding so enormously to the economy and efficiency of the nation's productive work and promising to give her now at last that first place in wealth and power in the world which every son who loved her had predicted she should some day have; and yet it would not do to leave the economic

liberty of the individual or the freedom and self-respect of the workingman unprotected.

The first steps taken by the new administration for the relief of the economic situation were not of the new order, but of the old. Mr. McKinley at once summoned Congress to meet in extraordinary session on the 15th of March, in order to provide the government with additional revenue. He interpreted the elections which had brought him into office to mean that the country desired not only to avoid the free coinage of silver but also to return to the protective system of duties exemplified in the tariff of 1890. The Ways and Means Committee of the House had prepared a tariff bill during the last session, while they waited for the change of administration. Upon the convening of Congress in extraordinary session, Mr. Dingley, their chairman, reported it at once, and by the end of the month it had passed the House and been sent to the Senate. It lingered close upon four months in the Senate and in the conference committee which sat to adjust the differences between the two houses; and when it became law, on the 24th of July, contained no systematic scheme of taxation at all, but merely a miscellany of taxes on the innumerable imports which were to be expected every year out of foreign ports. Its rates, upon the average, rose even above those of 1890. Some articles, like raw hides, which had been on the free list for a quarter of a century, were again subjected to duty; the sugar men again got what they desired; some duties, like that on flax, were imposed to please the farmers; some, like that on lead and lead-ores, to placate the senators who were of the silver interest of the western mining country. Here and there, noticeably in the metal schedules, the rates were left as

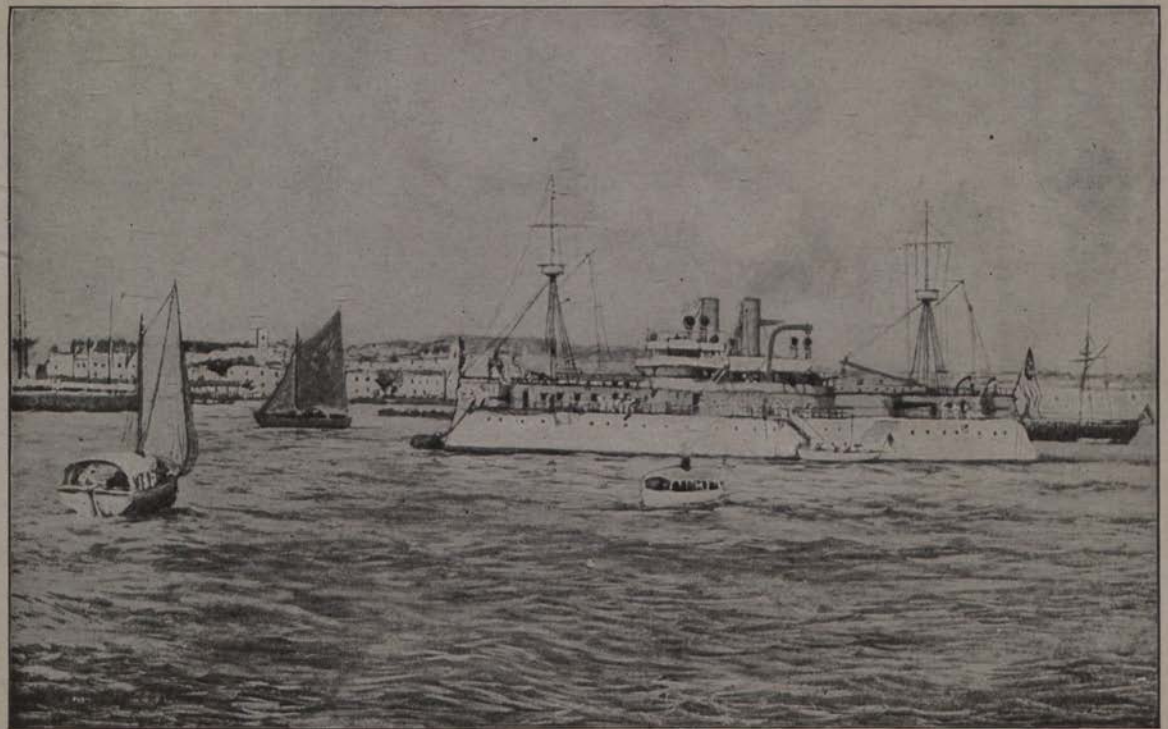
they had stood since 1894; the duty on steel rails was even slightly reduced, as if the great steel industry at least were counted on to take care of itself. The net result was a return to the highest principles of protection, or, if no principle could be discovered in the Act, at least to its most extreme practices. A year later (June 18, 1898) an Act was passed which created an Industrial Commission whose function it was to be to collate information and to consider and recommend legislation with regard to the many complicated problems presented by labor, agriculture, and the industrial use of capital. An Act had preceded it by some two weeks (June 1, 1898) which made provision for the arbitration of labor disputes between common carriers and their employees engaged in interstate commerce, to avoid, if possible, the difficulties which Mr. Cleveland had been obliged to settle by the use of federal troops. But as yet protective tariffs, inquiry into economic conditions, and provision for arbitration were all that the leaders of the houses had to offer towards the solution of the questions out of which the silver agitation had sprung.

The attention of the country was for the time being drawn off to other things. There had come a day, the day to which Mr. Cleveland had looked forward and of whose approach he had warned the government of Spain, when the patience of the country with regard to the situation in Cuba was exhausted. Much as the pitiful process of subjugation still dragged, moving as was the spectacle of a fair country devastated to bring, not healing peace, but mere submission, opinion might for a little while longer have been held off from dangerous heat in the matter had not a sudden, startling

incident, tragical and full of every element calculated to stir passion, sent a final thrill of excitement through the country. On the evening of the 14th of February, 1898, Saint Valentine's Day, the United States battleship *Maine*, lying in Havana harbor upon a visit of courtesy, was blown to pieces, and two of her officers, two hundred and fifty-eight of her crew, killed upon the instant.[1] The most careful investigation failed to disclose the origin of the explosion; but an examination of the twisted wreck made it plain that it had come from no accident within the ship itself. The explosives which had destroyed her had lain beneath her at the bottom of the harbor where she had her anchorage. Within two months Spain and the United States were at war,—not because a vessel of the American navy had been destroyed in a port of Spain, but because opinion leaped upon the provocation of that tragic incident from quiet inquiry to hot impatience with regard to all the ugly Cuban business. There was no evidence whatever that any one connected with the exercise of Spanish authority in Cuba had had so much as guilty knowledge of the plans made to destroy the *Maine;* but that unhappy explosion had changed the whole air of opinion the country through.

There was no calculating the forces of excitement that were abroad; there was no determining their origin or their real power. No doubt influences were at work which did not wait upon opinion, which made opinion their covert merely and means of justification. Sensational newspapers exaggerated every phase of the disturbing incidents of the time, to make news and increase their sales; men who saw personal gain in store for them amidst the risks of war bestirred themselves to make

[1] See page 324.



THE UNITED STATES BATTLESHIP MAINE AT ANCHOR IN HAVANA HARBOR

interest against Spain in the houses at Washington; politicians were quick to say and do what they hoped would enhance their credit and the influence of their party with the country; personal ambitions were not neglected in the eagerness of Congress to make some stroke in behalf of Cuba and for the aggrandizement of the power of the United States in the West Indies. Mr. McKinley had no such mastery as could hold the impulses of members in check. He had spent fourteen years on the floor of the House of Representatives. His point of view with regard to the exercise of his constitutional powers was not that which Mr. Cleveland had exemplified. He did not act as an independent, originative force in the determination of policy, but rather as a power intimately associated with the law-making branch of the government. He was not only sensitive to opinion out-of-doors but also to the intimations of purpose which came to him from the leaders of the houses. The fine quality of the man was evident to all who approached him: his sense of duty, his devotion to the principles which he conceived to be the principles of right action, his kindliness, his modesty, his Christian self-forgetfulness. His unfailing tact seemed to take the sting from the sharpest differences of opinion or of purpose upon whatever matter, and men did not draw off from him because he refused them what they asked or dissented from them in what they thought. But he seemed to stand like a leader who received his ideas, not from his own individual examination of affairs or the action of his own originative powers upon the subject matter of public policy, but from the men about him whom he most trusted, from the subtle airs of opinion abroad out-of-doors, from those who brought him the counsels

of Congress and the news of events. There was no impression of weakness to be got in dealing with him, but an impression of sober sensibility, rather, and of sanguine confidence in the movements of opinion.

He had diligently pressed upon the Spanish government every argument for peace with its Cuban subjects, for accommodation, for friendly intervention by the United States, for reform and concession in the government of the island that diplomatic usage and international courtesy permitted, and yet the end of the Cuban trouble seemed no nearer than before. He quickened his pace in the business as he saw opinion advance and the houses grow impatient,—quickened it very much when the destruction of the *Maine* put a touch of fever into men's thoughts. Congress was the war-making power: it very soon became evident that it could not much longer be restrained from radical action. Distressing reports poured in every day of the sufferings of the Cuban people, especially in the camps of concentration. The island was nearby: news came fresh from the very scenes of war and desolation. Members of Congress themselves visited the concentration camps and the parts of the island where the insurrection had its chief seats, and told from their places on the floor what they had seen and heard. The President wished to keep the reins in his own hands, but feared every week to see the restive houses break from his control. Fast as negotiation had moved on the heels of the excitement that followed that fatal explosion in Havana harbor it had not moved fast enough to please the impatient spirits who pressed the leaders of Congress for action. Towards the last it had begun to look as if the Spanish government were ready, rather than let

the war feeling in the United States put things beyond all possibility of a peaceful solution, to make very substantial concessions to the Cuban insurgents and bring the troubles of the island to an end. But Mr. McKinley doubted the good faith of the concessions offered, found them guarded by proposed processes of execution which might take perilously long in the carrying out, believed that opinion in the country would not justify him in taking any further risks of disappointment, and made a sudden end of negotiation. On the 11th of April, 1898, he asked Congress for authority to put an end to the hostilities in Cuba, and on the 18th Congress declared the Cuban people free and independent[1] and authorized the President to use the military and naval forces of the United States to compel the government of Spain to relinquish its authority and government in the island. The Spanish minister at Washington of course asked for his passports, all diplomatic relations between the two governments were broken off, and on the 25th of April formal declaration of war was made. The resolutions agreed to by the houses in authorizing the President to drive Spain from the island had concluded with this solemn statement of the purposes of the United States: "The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people." Intervention had come, not for the material aggrandizement of the United States, but for the assertion of the right of the government to succor those who seemed hopelessly oppressed, to recover the peace and order of its coasts, to free its trade from the

[1] See page 332.

WEST INDIES, 1902.

trammels put upon it by a war to which there seemed no end, to quiet the thoughts of its own people in order that they might turn again without distraction to their own affairs.

It was a war of impulse, as any one might see who noted how unprepared the country was for what it had suddenly undertaken. The regular army of the United States numbered but 28,000, officers and men. It fell to volunteers as much as to regular troops to assume the burdens of the field, as in the war for the Union and the war against Mexico fifty years ago. The regular army was increased to more than 42,000 before the month of May was out; but the new men were, of course, mere recruits, and the volunteers mustered faster than the regulars. Before the end of May, in response to the proclamations of the President, more than 118,000 men and six thousand officers had been mustered into the volunteer service, chiefly from the militia of the States, and had been equipped and distributed among the various camps of preparation in which they were to be made ready and await their orders. Congress authorized the increase of the regular army to 65,000 men, and by the close of August more than 56,000 had been mustered in. The volunteer forces had by that time grown to 216,256, men crowding into the ranks from every quarter of the country. It was noted how eagerly the southerners pressed forward for service. Elderly men who had been officers in the armies of the southern Confederacy asked for commands, and got them, under the Act of indemnity passed but two years before. The country was thrilled with a new sense of union and of enthusiasm for a common cause. There was no longer any thought of differences between section and section

when the flag was in the field. Those days together in camp and battle set the war between the States another full generation back, into a past now left at last for historians, not politicians, to take care of.

Before the first season of enthusiasm had gone by the war was over. It was ended before the ranks were full. July was not out before the American troops had had their will in Cuba and Porto Rico, and Spain had proposed terms of peace. By the middle of August Manila, in the far Philippines, had been taken; no Spanish force anywhere resisted the arms of the United States; only the full terms of peace remained to be agreed upon. The navy of the United States had been the first to give the Spaniard a taste of its quality. There had been no question of making it ready for war. It was outnumbered by many of the great navies of the world, but its officers were professional experts trained to proficiency by as thorough a schooling and experience in arms as if war were always at hand; and their ships were of the most modern type and equipment, built where the best steel and the best machinists of the world were to be had. Every stroke that they made told. On the 1st of May, in the grey of the early morning, Commodore Dewey, commanding the squadron of the United States in eastern waters, attacked the Spanish fleet in the bay of Manila, the capital city of the Philippines, and by noon had utterly destroyed it, his own fleet suffering little damage, and without the loss of a single life on his ships. He had entered the great bay under cover of the preceding night, steaming past the batteries which stood guard there upon Corregidor Island and through the long channels where he had been told torpedoes had been set, as he had steamed when a boy with

CITY OF SAN JUAN, PORTO RICO

Commodore Farragut past the batteries and the torpedoes at the mouths of the Mississippi. The force of his guns was greater than that of the inferior pieces on the Spanish ships, and but few of their shots took effect; the marksmanship of his gunners made their fire precise and terrible; he led his ships slowly back and forth along the line of the Spaniards' anchorage until the whole fleet he had been bidden destroy lay sunken, burning, and abandoned. That done, the city, with its old-fashioned walls and ancient defences, was at his mercy. It had been a gallant exploit gallantly undertaken, against unknown risks and dangers which he could only guess, against a force whose real power and equipment were not known, and executed with a business-like thoroughness which caught the imagination of every man who loved thoroughbred service and daring. Congress sent the Commodore increase of rank with its thanks, and troops were hurried aboard the transports at San Francisco to act with him in the capture and occupation of Manila.

The tasks of the fleets mustered to invest the Cuban ports and convey the troops of the United States to their attack upon the island were by no means so simple. The coasts of the long island had many ports; it was presently known that a Spanish squadron of four armored cruisers and three torpedo-boat destroyers, under Admiral Pascual Cervera, had left the Cape Verde Islands for the West Indies; it was possible to do little more than guess what port they would make for. There were not vessels enough to watch all the coasts of Cuba and Porto Rico. It might be that the Spanish admiral would first make some demonstration against a port of the United States, and it gave the authorities at Wash-

ington and all who thought upon the matter no small concern to think how little had been done to supply the open coast of the continent with adequate defences. As it turned out, Admiral Cervera ran straight into

PASCUAL CERVERA

Santiago de Cuba, the southern port of the island, which lay nearest the open seas by which he had approached. The Carribean Sea was wide; the American commanders got word first that he had touched at Martinique, then that he had touched at Curaçoa, close by the Gulf

of Venezuela; there was no making his course out from that, and he slipped unobserved into Santiago while the American commander-in-chief searched for him off the harbors of Porto Rico. At Santiago he lay almost a full fortnight before his whereabouts was discovered by the anxious American sailors. High hills shut the closed harbor in, and a narrow, winding channel served it for entrance; no ship at sea, no one who did not stand upon the very hills that overlooked the harbor, could discover what craft lay within the hidden bay. But by the 29th of May a flying squadron of the American fleet, under Commodore Schley, had established a blockade of the port, reasonably assured that the Spanish squadron was within, and by the 1st of June acting Rear Admiral Sampson, the commander-in-chief, had arrived, to add his heavier ships to the blockading force and take command.

The whereabouts of the Spanish fleet determined the point of attack for the army as well as for the men-of-war. General Shafter, commanding the troops assembled at Tampa, in Florida, was ordered to take some sixteen thousand men under convoy to Santiago, 14,000 regulars and 2,500 volunteers, in order that the town with its garrison and the fleet lying in its bay might be taken together, by the joint action of the land and naval forces. There were not sufficient railway facilities for sending the troops to their place of embarkation; there were not harbor facilities enough for the difficult work of embarking the troops where the transports lay; no one in chief command seemed ever to have seriously studied the handling of men and stores upon the great scale; there was infinite delay and confusion and blundering before the expedition was ready to sail. It took

an entire week to effect the embarkation, and the ships were held yet another week at their anchorage after the troops were aboard before they finally put to sea, because

WILLIAM R. SHAFTER

of false rumors of Spanish cruisers on the coasts they were to approach. But by the 14th of June they were under weigh, and by the morning of the 20th were off the coasts where they were to be put ashore. On the 22d,

23d, and 24th they were landed at Daiquiri and Siboney, some twelve to fifteen miles east of the town of Santiago, and their painful work began. The country through which they had to pass was broken into abrupt and difficult hills; the roads were hardly more than bridle paths, and ran through thick tangles of tropical undergrowth. The flooding rains of the region were likely at any time to render them impassable and cut the troops off as they advanced alike from further movement upon their objective and from communication with their base of supplies at the rear where the transports lay. The distempers of the unfamiliar climate took immediate hold upon them, and sapped their strength. There were not surgeons or nurses or medical stores enough, and the lack of organized and efficient means and methods of transportation worked an injury there worse by far than it had worked at Tampa. At Tampa the blundering and mismanagement had been stupid, irritating; here they were deeply tragical. It was pitiful what rank and file alike had to endure, with stores unpacked, untouched at the rear, and medicines left where they could be of no service. But pluck and intelligence carried the regiments forward to the overcoming of difficulties and the winning of battles there as they had carried the men like them who went with General Scott to the conquest of Mexico fifty years before. Division commanders proved more efficient and resourceful than their superiors in command; privates knew their duty without orders, shifted for themselves in camp, at mess, and on the march like men who did not need to be cared for, endured what came to them without murmur or discouragement, and moved like those who act confidently without command, carried forward

THE CAPTURE OF THE BLOCK HOUSE AT SAN JUAN

by their own wits and courage and habits of concerted action.

By the morning of the 1st of July the decisive movements of the attack were planned and begun and by the evening of that day an advantage had been gained which made it certain what the end must be. The town of El Caney and the strong hill of San Juan had been stormed and taken, the one commanding the road to Guantanamo, by which the garrison of the city might expect succor, and whence they could threaten the flank of any force that moved direct upon Santiago, the other commanding the straight approaches to the city itself. El Caney lay in a position of natural strength and was protected by strong block houses, a stone fort, a stone church, itself a sort of fort loopholed for rifles, and long lines of trenches cut in the solid rock. The hill of San Juan stood steep and guarded, crowned with a block fort set about with a maze of barbed wire entanglements. The American troops, in whatever direction they moved, had either to block one another's way massed in the narrow miry roads or else to deploy as best they could in the tangled undergrowth of the tropical forests; and came into the open close by the enemy's position only to expose themselves to a galling fire from foes lying unseen and protected. They had no support from artillery; each position they attacked had to be taken by cool, dogged assault; but the thing was congenial to their spirits, and was done with the steadfast pluck and the unfaltering audacity of men who did not know how to fail or turn back. The general officers who planned and ordered the movements knew, it presently turned out, neither the topography of the country nor the exact position and strength of the enemy;

THE CAPTURE OF EL CANEY

but the men and their immediate commanders made all mistakes good and took what they found. On the 2d the American lines were still further advanced, and an assault by the Spaniards was repulsed. On the 3d General Shafter summoned the commander of the town to surrender; but General Toral had received reinforcements from the east and refused.

That same day the Spanish admiral, fearing himself trapped where he lay, put suddenly to sea, hoping by forcing his craft to their speed to run down the coast to the westward and show the American commander his heels before the blockading fleet could close upon him. But the first glimpse of his smoking funnels in the channel brought the fleet in the offing to the chase. The commander-in-chief was for the moment away, in his flagship, upon an errand to the eastward; Commodore Schley was in immediate command of the blockade. It was Sunday morning a little before ten o'clock, and the men were at quarters for inspection. They sprang to the work of chase and battle with a cheer, and within eight minutes the ships within range had opened fire. Hardly a signal was needed. The Spaniards swung in order down the coast; the American ships followed from their places in instant succession, each captain selecting the Spaniard he could most speedily get within range of for target. The foremost and fleetest of the Spanish vessels was overhauled and forced ashore upon the rocky coast within four hours of its exit from the port; the vessels which followed her had been destroyed before the fight was two hours old. The American gunners, pouring in a fire constant, precise, overwhelming, had cut the fire mains or ignited the ready ammunition or sent destroying heat and ruin to the

machinery of the craft they chased, and they were one after the other run aground, burning fiercely fore and aft. It took as gallant work to get their crews off and succor them in their desperate peril as it had taken

WILLIAM T. SAMPSON

to bring them to their sudden fate. Six hundred Spanish officers and men lost their lives, killed or drowned; more than seventeen hundred were taken off the burned and ruined vessels as prisoners.

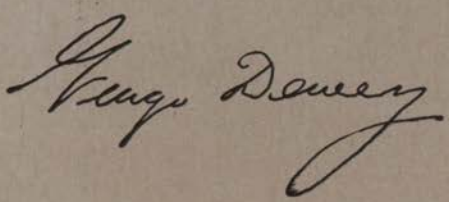
Two weeks more and Santiago, with all the eastern posts and districts of Cuba, was in the hands of the

Americans. Reinforcements came in to General Shafter which swelled his numbers to 21,000, and a complete line of investment was drawn around the city. His guns had at last come up. Eighteen thousand women, children, and foreign residents were allowed to pass

WINFIELD SCOTT SCHLEY

through his lines before he opened siege fire; but when the bombardment did begin it came at intervals from the heavy guns of the fleet as well as from the batteries on the hills, and the end was inevitable. Negotiations for surrender were opened on the 12th, and on the 17th not only the town itself but also all the eastern posts were rendered up. On the 21st of July Major General Miles sailed from Guantanamo Bay with a small force

PHILIPPINE ISLANDS, 1899.
SCALE OF MILES
LUZON
MINDORO
PANAY
NEGROS
CEBU
BOHOL
LEYTE
SAMAR
MINDANAO
PALAWAN
Mindoro Strait
Sulu Sea
China Sea
Celebes Sea



GEORGE DEWEY

for Porto Rico. There he was joined by reinforcements out of the United States, and the southern and western portions of the island were taken possession of without opposition, the inhabitants even receiving the American troops with open enthusiasm. News of the arrangement of preliminaries of peace stopped all hostile movements before the occupation could be completed. On the 26th of July overtures of peace had been addressed by the Spanish government to the government of the United States through M. Cambon, the French minister at Washington; and on the 30th definite terms of peace were proposed from the same source. In August most of the troops in Cuba were hurried back to the United States to arrest the alarming progress of malarial fever, dysentery, and yellow fever among them; and the war seemed over,—except in the Philippines. On the 12th of August a peace protocol was signed at Washington.[1]

In the Philippines Admiral Dewey had waited until troops should be sent which could capture Manila and take military possession of the islands. But he had not waited without armed allies. The Philippines, like Cuba, had been the scene of frequent rebellions against Spanish rule. Peace was, indeed, but a little more than four months old when Commodore Dewey received his orders from Washington to attack the Spanish naval force in eastern waters, and Emilio Aguinaldo, the one-time chief of the insurgents, was at hand, in Singapore, should the American commander wish to avail himself of his advice and aid. Commodore Dewey sent Aguinaldo word to follow him to Manila with all possible despatch, and he was given passage from Hong Kong on the American gunboat *McCulloch*. His influence with the people of the island of Luzon

[1] See page 335.

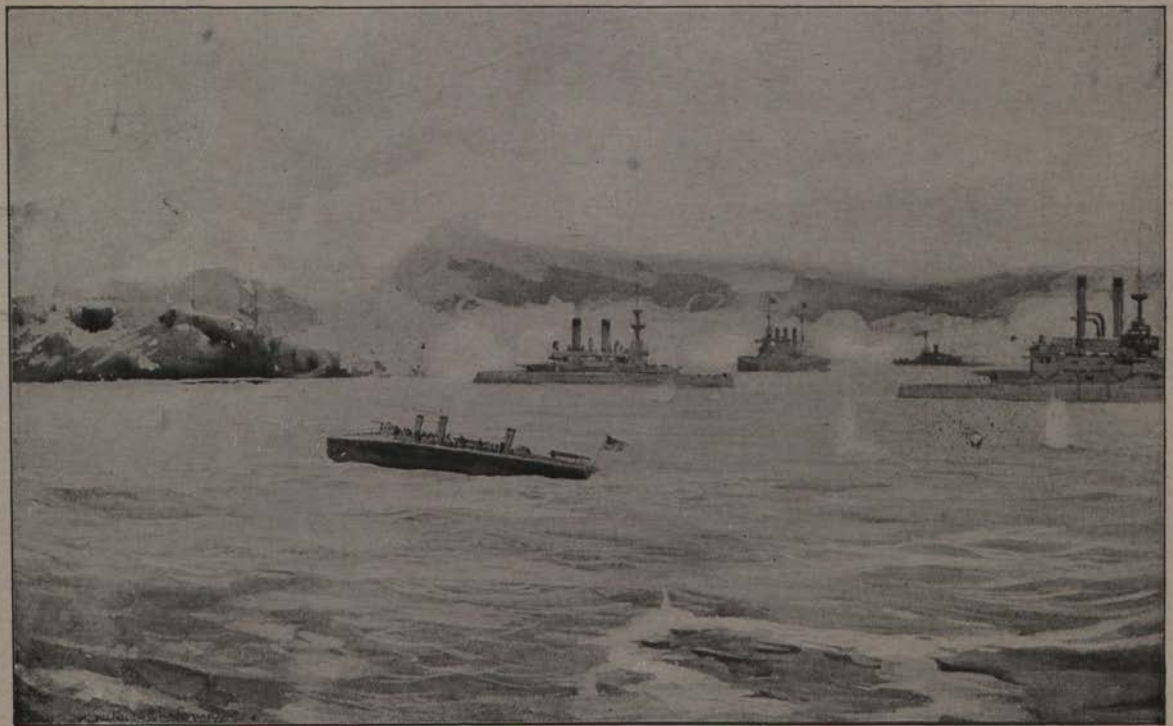
was well known. Young man though he was, scarcely turned of twenty-nine, they were his to command, so

WESLEY MERRITT

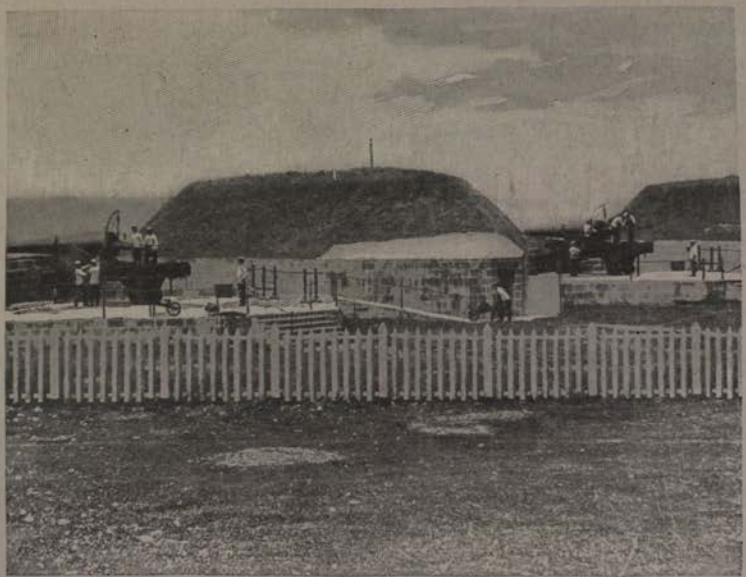
strong a hold had his frank manners, engaging interest in reform, and subtile power to turn men to his way of action taken upon them; and, for lack of troops from over sea, the American commander was willing

to supply him with arms and ammunition and put the men whom he should muster in a position to hold the country round about the city until the transports should come out of America and all things should be ready. To make such an arrangement was to play with fire. It was not clear, it could not be clear, what was to be done with the insurgent army thus set afoot again by American aid when the troops of the United States should arrive and the conquest of the islands be finally made.

Moreover, judicious lookers on wondered not a little to see the plans of the war so widened. Commodore Dewey had been commanded to destroy the Spanish fleet in the East; but he had not, so far as any one had heard, been told to take Manila and set an insurrection afoot in Luzon. It was significant that troops were at once hurried aboard the transports at San Francisco, —significant of the broadened scope and purpose of the war as viewed from Washington. It was not to stop with the relief of the Cubans. Troops were to be sent to the Philippines to take military possession of them. General Miles had been ordered from Cuba to Porto Rico. The power of the United States, once afield, was sweeping the island possessions of Spain into its sudden empire on both sides of the world. By the 13th of August, the day after the peace protocol was signed at Washington, all things were ready for the hostile movement at Manila and the place was easily taken by the American troops, Aguinaldo's forces looking on and doubting their part in the venture. When the peace commissioners met at Paris in the autumn to frame their final agreements, the United States demanded and got all that their arms had touched: Cuba for the



THE BOMBARDMENT OF SAN JUAN, PORTO RICO



FORT AND EARTHWORKS, CAVITÉ, SILENCED AND CAPTURED BY ADMIRAL DEWEY

Cubans, Porto Rico and the Philippines, and the tiny island of Guam by the way, for their own possession. While the armies of the United States still lay with their lines drawn about Santiago (July 6, 1898) a joint resolution had passed the two houses of Congress which provided for the annexation of the Hawaiian Islands to the United States and consummated the revolutionary process to which Mr. Cleveland had for a little while given pause.[1]

Of a sudden, as it seemed, and without premeditation, the United States had turned away from their long-time, deliberate absorption in their own domestic development, from the policy professed by every generation of their statesmen from the first, of separation from the

[1] See page 319.

embarrassing entanglements of foreign affairs; had given themselves a colonial empire, and taken their place of power in the field of international politics. No one who justly studied the courses of their life could

EMILIO AGUINALDO

reasonably wonder at the thing that had happened. No doubt it had come about without premeditation. There had been no thought, when this war came, of sweeping the Spanish islands of far-away seas within the sovereignty of the United States. But Spain's empire had proved a house of cards. When the American power touched it it fell to pieces. The government of Spain's colonies had everywhere failed and gone to hopeless decay. It would have been impossible, it would

have been intolerable, to set it up again where it had collapsed. A quick instinct apprised American statesmen that they had come to a turning point in the progress of the nation, which would have disclosed itself in some other way if not in this, had the war for Cuba not made it plain. It had turned from developing its own resources to make conquest of the markets of the world. The great East was the market all the world coveted now, the market for which statesmen as well as merchants must plan and play their game of competition, the market to which diplomacy, and if need be power, must make an open way. The United States could not easily have dispensed with that foothold in the East which the possession of the Philippines so unexpectedly afforded them. The dream of their own poet had been fulfilled,

> "See, vast trackless spaces,
> As in a dream they change, they swiftly fill,
> Countless masses debouch upon them,
> They are now covered with people, arts, institutions."

The spaces of their own continent were occupied and reduced to the uses of civilization; they had no frontiers wherewith "to satisfy the feet of the young men": these new frontiers in the Indies and in the far Pacific came to them as if out of the very necessity of the new career set before them. It was significant how uncritically the people accepted the unlooked for consequences of the war, with what naïve enthusiasm they hailed the conquests of their fleets and armies. It was the experience of the Mexican war repeated.

What they claimed was not, indeed, yet theirs in fact. A sullen dismay and discontent had come

THE UNITED STATES, 1902.

upon the men who served with Aguinaldo outside the American lines at Manila, and who did not clearly know whether they were allies or subjects. They had not taken up arms, they said, merely to make the Americans their masters instead of the Spaniards, but to make themselves free, and had deemed the Americans their allies in that undertaking. The American commanders had made them no promises, but they had seemed tacitly to accord them the place of allies, and their own hopes had drawn the inference. When they found that those hopes were to be denied them they took their cause into their own hands and set up the government as if of an independent republic with Agui-

TWO-STORY TENT OF COLORADO TROOPS, CAMP DEWEY, LUZON, PHILIPPINE ISLANDS

naldo as their president (September 29, 1898). In February, 1899, a dogged war of resistance began which it was to take the troops of the United States, recruited from season to season till their numbers reached quite 70,000 men, more than three years to bring to an end. But the end was visible from the beginning. As

THE U. S. S. OLYMPIA ON THE MORNING SHE LEFT MANILA WITH ADMIRAL DEWEY ON BOARD

the presidential election of 1900 approached the Democratic party made as if it would stake its fortunes on an opposition to the "imperial" policy of the administration; but it found that the thoughts of the people did not run with it, and turned the force of its effort again, as four years before, to the silver question. Mr. Bryan was again made its candidate, against Mr. McKinley, whom the Republicans had renominated

as of course, and it once more demanded in its platform the free coinage of gold and silver at the ratio of sixteen to one. But no one feared now that it would win upon that issue. The hopes and energies of the country were turned in another direction, and Mr. McKinley was elected without difficulty.

It was interesting to note with how changed an aspect the government stood upon the threshold of a new century. The President seemed again to be always in the foreground, as if the first days of the government were to be repeated,—that first quarter of a century in which it was making good its right to exist and to act as an independent power among the nations of the world. Now, full grown, it was to take a place of leadership. The closing year of the century (1900) witnessed a great upheaval of revolutionary forces in China. Insurgent bands filled the country, the very capital itself, in protest against the presence and the growing influence of the foreigner, and particularly the occupation of new ports of entry by Russia, England, and Germany, —the dowager empress, the real mistress of the kingdom, acting as their ally. The very legations at Peking were invested in deadly siege by the insurgents; and America, with the other nations whose representatives were threatened, sent troops to their relief. America played her new part with conspicuous success. Her voice told for peace, conciliation, justice, and yet for a firm vindication of sovereign rights, at every turn of the difficult business; her troops were among the first to withdraw, to the Philippines, when their presence became unnecessary; the world noted a calm poise of judgment, a steady confidence as if of conscious power in the utterances of the American Secretary of State;

the new functions of America in the East were plain enough for all to see. The old landmarks of politics within the United States themselves seemed, meanwhile, submerged. The southern States were readjusting their elective suffrage so as to exclude the illiterate negroes and so in part undo the mischief of reconstruction; and yet the rest of the country withheld its hand from interference. Sections began to draw together with a new understanding of one another. Parties were turning to the new days to come and to the common efforts of peace. Statesmen knew that it was to be their task to release the energies of the country for the great day of trade and of manufacture which was to change the face of the world: to ease the processes of labor, govern capital in the interest of those who were its indispensable servants in pushing the great industries of the country to their final value and perfection, and make law the instrument, not of justice merely, but also of social progress.

PART II
ORIGINAL DOCUMENTS
1875–1898

ORIGINAL DOCUMENTS

Resumption of Specie Payments, 1875

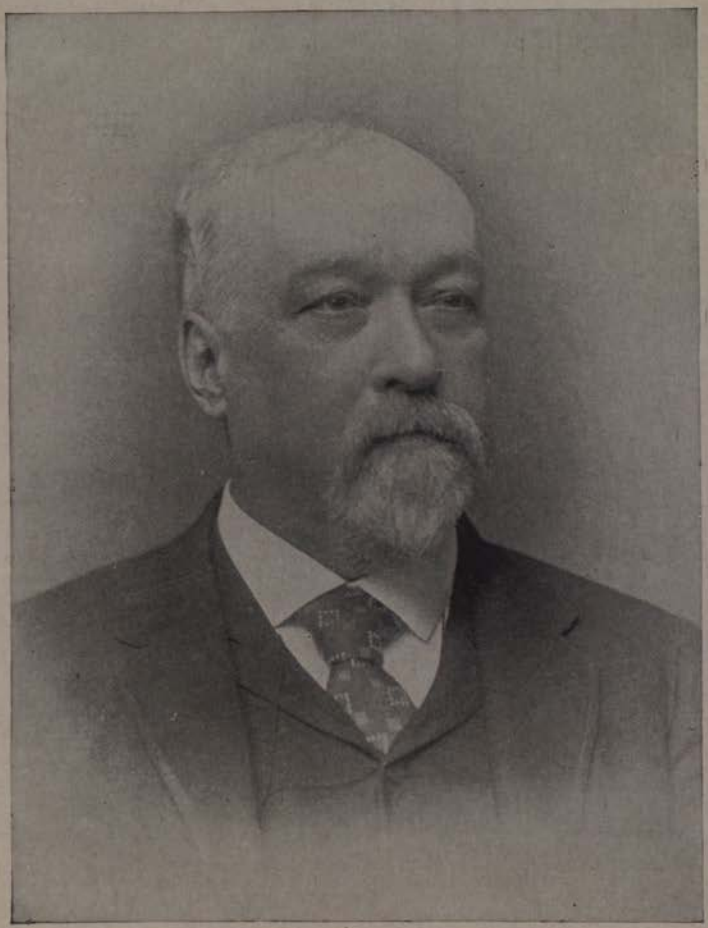
This Act was a result of the business panic of 1873. It was reported by the Senate Committee on Finance; was promptly passed in each House; and was approved in a special message by President Grant on January 14, 1875. At the same time the President urged additional legislation to increase the efficiency of the Act. From text in "United States Statutes at Large," Vol. XVIII., p. 296. (See page 30.[1])

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and required, as rapidly as practicable, to cause to be coined at the mints of the United States, silver coins of the denominations of ten, twenty-five, and fifty cents, of standard value, and to issue them in redemption of an equal number and amount of fractional currency of similar denominations, or, at his discretion, he may issue such silver coins through the mints, the subtreasuries, public depositaries, and post-offices of the United States; and, upon such issue, he is hereby authorized and required to redeem an equal amount of such fractional currency, until the whole amount of such fractional currency outstanding shall be redeemed.

[1] The final page references in the introductions are to allusions in the History which are explained and illustrated in these documents.

SEC. 2. That so much of section 3524 . . . of the Revised Statutes of the United States as provides for a charge of 1–5th of 1 per centum for converting standard gold bullion into coin is hereby repealed, and hereafter no charge shall be made for that service.

SEC. 3. That section 5177 of the Revised Statutes of the United States, limiting the aggregate amount of circulating-notes of national banking-associations, be, and is hereby, repealed; and each existing banking-association may increase its circulating-notes in accordance with existing law without respect to said aggregate limit; and new banking-associations may be organized in accordance with existing law without respect to said aggregate limit; and the provisions of law for the withdrawal and redistribution of national-bank currency among the several States and Territories are hereby repealed. And whenever, and so often, as circulating-notes shall be issued to any such banking-association, so increasing its capital or circulating-notes, or so newly organized as aforesaid, it shall be the duty of the Secretary of the Treasury to redeem the legal-tender United States notes in excess only of three hundred million of dollars, to the amount of eighty per centum of the sum of national-bank notes so issued to any such banking-association as aforesaid, and to continue such redemption as such circulating-notes are issued until there shall be outstanding the sum of three hundred million dollars of such legal-tender United States notes, and no more. And on and after the 1st day of January, A. D. 1879, the Secretary of the Treasury shall redeem, in coin, the United States legal-tender notes then outstanding on their presentation for redemption, at the office of the assistant treasurer of the United States in the city of New York, in sums of not less than fifty dollars. And to enable the Secretary of the Treasury to prepare and provide for the redemption in this act authorized or required, he is authorized to use any surplus revenues,



BENJAMIN HELM BRISTOW

(Secretary of the United States Treasury, 1874–76. He was a leading candidate for the Republican Presidential nomination in 1876)

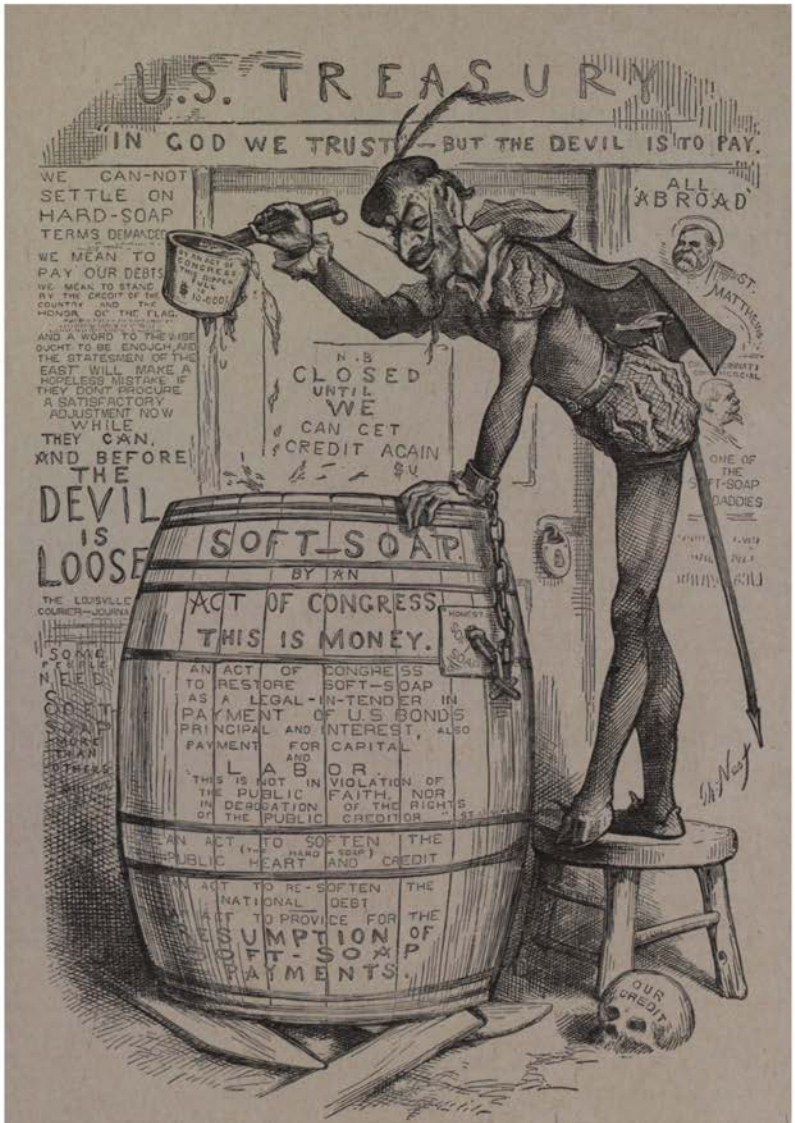
from time to time, in the Treasury not otherwise appropriated, and to issue, sell, and dispose of, at not less than par, in coin, either of the descriptions of bonds of the United States described in the act of Congress approved July 14, 1870, entitled "An Act to authorize the refunding of the national debt," with like qualities, privileges, and exemptions, to the extent necessary to carry this act into full effect, and to use the proceeds thereof for the purposes aforesaid. . . .

Hayes's Veto of the Bland–Allison Silver Act, 1878

This Act, bearing the names of its sponsors, Representative Bland and Senator Allison, was the culmination of a long agitation in and out of Congress for the free and unlimited coinage of silver by the United States. The measure was adopted by both Houses; was vetoed by President Hayes, and was passed over the veto on February 28, 1878. It remained in force until 1890, when the Sherman Act repealed the obligation to purchase and coin the silver metal. Text from "Messages and Papers of the Presidents, 1789–1897," edited by J. D. Richardson. Washington: Government Printing Office, 1898, Vol. VII., pp. 486–488. (See page 33.)

After a very careful consideration of the House bill No. 1093, entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character," I feel compelled to return it to the House of Representatives, in which it originated, with my objections to its passage.

Holding the opinion, which I expressed in my annual message, that "neither the interests of the Government nor of the people of the United States would be promoted by disparaging silver as one of the two precious metals which furnish the coinage of the world, and that legislation which looks to maintaining the volume of intrinsic money to as full a measure of both metals


U.S. TREASURY
"IN GOD WE TRUST"—BUT THE DEVIL IS TO PAY.
WE CAN-NOT SETTLE ON HARD-SOAP TERMS DEMANDED
WE MEAN TO PAY OUR DEBTS
WE MEAN TO STAND BY THE CREDIT OF THE COUNTRY AND THE HONOR OF THE FLAG.
AND A WORD TO THE WISE OUGHT TO BE ENOUGH, AND THE STATESMEN OF THE EAST WILL MAKE A HOPELESS MISTAKE IF THEY DONT PROCURE A SATISFACTORY ADJUSTMENT NOW WHILE THEY CAN.
AND BEFORE THE DEVIL IS LOOSE
THE LOUISVILLE COURIER-JOURNAL
ALL ABROAD
ST. MATTHEW
ONE OF THE SOFT-SOAP DADDIES
N.B CLOSED UNTIL WE CAN GET CREDIT AGAIN
SOFT-SOAP
BY AN
ACT OF CONGRESS
THIS IS MONEY.
AN ACT OF CONGRESS TO RESTORE SOFT-SOAP AS A LEGAL-TENDER IN PAYMENT OF U.S BONDS PRINCIPAL AND INTEREST, ALSO PAYMENT FOR CAPITAL AND LABOR.
THIS IS NOT IN THE PUBLIC INTEREST OR IN DEROGATION OF THE PUBLIC FAITH, NOR VIOLATION OF THE RIGHTS OF THE PUBLIC CREDITOR.
AN ACT TO SOFTEN THE PUBLIC HEART (HARD SOAP) AND CREDIT
AN ACT TO RE-SOFTEN THE NATIONAL DEBT
AN ACT TO PROVIDE FOR THE RESUMPTION OF SOFT-SOAP PAYMENTS.
OUR CREDIT

"IDEAL MONEY"

("Universal Suffrage can, if it likes, repudiate the whole debt; it can, if it likes, decree soft-soap to be currency."—*The Louisville Courier-Journal*)

(From cartoon by Thomas Nast, published in *Harper's Weekly*, January 19, 1878)

as their relative commercial values will permit would be neither unjust nor inexpedient," it has been my earnest desire to concur with Congress in the adoption of such measures to increase the silver coinage of the country as would not impair the obligation of contracts, either public or private, nor injuriously affect the public credit. It is only upon the conviction that this bill does not meet these essential requirements that I feel it my duty to withhold from it my approval.

My present official duty as to this bill permits only an attention to the specific objections to its passage which seem to me so important as to justify me in asking from the wisdom and duty of Congress that further consideration of the bill for which the Constitution has in such cases provided.

The bill provides for the coinage of silver dollars of the weight of 412½ grains each, of standard silver, to be a legal tender at their nominal value for all debts and dues, public and private, except where otherwise expressly stipulated in the contract. It is well known that the market value of that number of grains of standard silver during the past year has been from 90 to 92 cents as compared with the standard gold dollar. Thus the silver dollar authorized by this bill is worth 8 to 10 per cent. less than it purports to be worth, and is made a legal tender for debts contracted when the law did not recognize such coins as lawful money.

The right to pay duties in silver or in certificates for silver deposits will, when they are issued in sufficient amount to circulate, put an end to the receipt of revenue in gold, and thus compel the payment of silver for both the principal and interest of the public debt. One billion one hundred and forty-three million four hundred and ninety-three thousand four hundred dollars of the bonded debt now outstanding was issued prior to February, 1873, when the silver dollar was unknown in circulation in this country, and was only a convenient

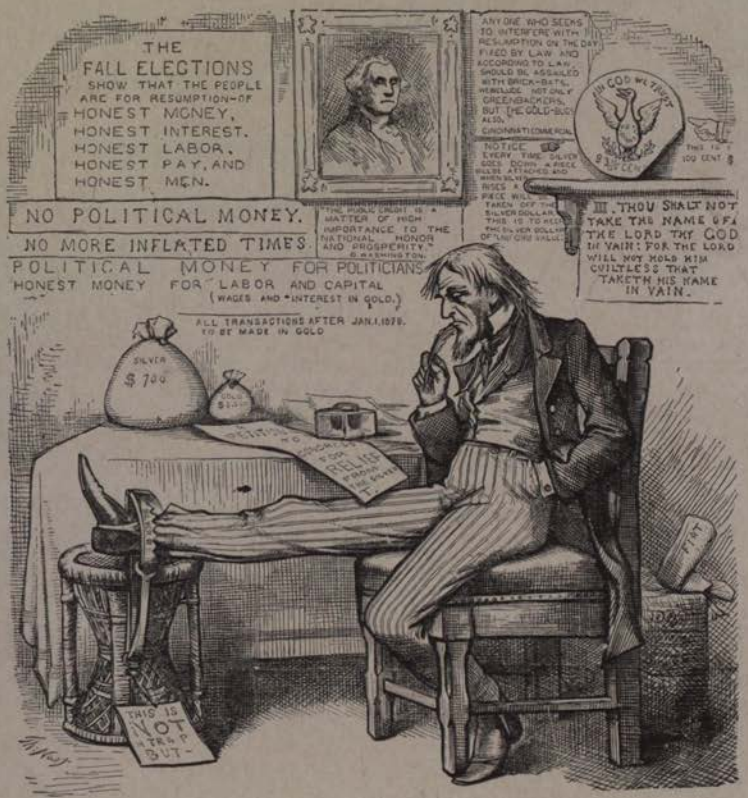
STANLEY MATTHEWS

(From a picture in *Harper's Weekly*, April 7, 1877, after a photograph by James Landy. Stanley Matthews was elected to the United States Senate in 1876 to succeed John Sherman. Various measures had been proposed in Congress during the session of 1877 to restore silver to its old place of honor. In 1878 the newly elected Senator Matthews secured the passage of a resolution providing for the payment of all public debts, including bonds, in silver dollars of 412½ grains each. The Bland bill, providing for a return to free coinage, had already been passed in the House, but was for the time superseded by the Matthews resolution, which was adopted on January 28, 1878, both in the Senate and the House by large majorities)

form of silver bullion for exportation; $583,440,350 of the funded debt has been issued since February, 1873, when gold alone was the coin for which the bonds were sold, and gold alone was the coin in which both parties to the contract understood that the bonds would be paid. These bonds entered into the markets of the world. They were paid for in gold when silver had greatly depreciated, and when no one would have bought them if it had been understood that they would be paid in silver. The sum of $225,000,000 of these bonds has been sold during my Administration for gold coin, and the United States received the benefit of these sales by a reduction of the rate of interest to 4 per cent. During the progress of these sales a doubt was suggested as to the coin in which payment of these bonds would be made. The public announcement was thereupon authorized that it was "not to be anticipated that any future legislation of Congress or any action of any department of the Government would sanction or tolerate the redemption of the principal of these bonds or the payment of the interest thereon in coin of less value than the coin authorized by law at the time of the issue of the bonds, being the coin exacted by the Government in exchange for the same." In view of these facts it will be justly regarded as a grave breach of the public faith to undertake to pay these bonds, principal or interest, in silver coin worth in the market less than the coin received for them.

It is said that the silver dollar made a legal tender by this bill will under its operation be equivalent in value to the gold dollar. Many supporters of the bill believe this, and would not justify and attempt to pay debts, either public or private, in coin, of inferior value to the money of the world. The capital defect of the bill is that it contains no provision protecting from its operation preexisting debts in case of the coinage which it creates shall continue to be of less value than that which

was the sole legal tender when they were contracted. If it is now proposed, for the purpose of taking advantage of the depreciation of silver in the payment of debts, to coin and make a legal tender a silver dollar


THE
FALL ELECTIONS
SHOW THAT THE PEOPLE
ARE FOR RESUMPTION—OF
HONEST MONEY,
HONEST INTEREST,
HONEST LABOR,
HONEST PAY, AND
HONEST MEN.
NO POLITICAL MONEY.
NO MORE INFLATED TIMES.
POLITICAL MONEY FOR POLITICIANS.
HONEST MONEY FOR LABOR AND CAPITAL
(WAGES AND INTEREST IN GOLD.)
ANY ONE WHO SEEKS TO INTERFERE WITH RESUMPTION ON THE DAY FIXED BY LAW AND ACCORDING TO LAW, SHOULD BE ASSAILED WITH BRICK-BATS, HEREAFTER, NOT ONLY GREENBACKISM, BUT THE GOLD-BUG ALSO.
NOTICE.
EVERY TIME SILVER GOES DOWN A PIECE BILLS ATTACHED AND RISES A PIECE WILL BE TAKEN OFF THE SILVER DOLLAR. THIS IS TO KEEP THE SILVER DOLLAR OF LOW ORE VALUE
THE PUBLIC CREDIT IS A MATTER OF HIGH IMPORTANCE TO THE NATIONAL HONOR AND PROSPERITY.
G. WASHINGTON.
III. THOU SHALT NOT TAKE THE NAME OF THE LORD THY GOD IN VAIN: FOR THE LORD WILL NOT HOLD HIM GUILTLESS THAT TAKETH HIS NAME IN VAIN.
ALL TRANSACTIONS AFTER JAN. 1, 1879, TO BE MADE IN GOLD
SILVER
$ 700
THIS IS NOT A TRAP BUT-

"THE SOONER THE BETTER"

(Cartoon by Thomas Nast representing Uncle Sam and Silver, published in *Harper's Weekly*, December 14, 1878)

of less commercial value than any dollar, whether of gold or paper, which is now lawful money in this country, such measure, it will hardly be questioned, will, in the judgment of mankind, be an act of bad faith. As to

all debts heretofore contracted, the silver dollar should be made a legal tender only at its market value. The standard of value should not be changed without the consent of both parties to the contract. National promises should be kept with unflinching fidelity. There is no power to compel a nation to pay its just debts. Its credit depends on its honor. The nation owes what it has led or allowed its creditors to expect. I can not approve a bill which in my judgment authorizes the violation of sacred obligations. The obligation of the public faith transcends all questions of profit or public advantage. Its unquestionable maintenance is the dictate as well of the highest expediency as of the most necessary duty, and should ever be carefully guarded by the Executive, by Congress, and by the people.

It is my firm conviction that if the country is to be benefited by a silver coinage it can be done only by the issue of silver dollars of full value, which will defraud no man. A currency worth less than it purports to be worth will in the end defraud not only creditors, but all who are engaged in legitimate business, and none more surely than those who are dependent on their daily labor for their daily bread.

Civil Service Act, 1883

The movement for a reform in the civil service of the United States had its first noteworthy impetus in 1870, when President Grant referred the subject to the consideration of Congress. In the following year an Act was passed authorizing the formulating of regulations and the appointment of a commission to carry them out. Then the movement in Congress waited until 1881, when a bill was introduced in the Senate to reform the service. This, after amendments, was adopted and approved on January 16, 1883. From text in "United States Statutes at Large," Vol. XXII., pp. 403–407. (See page 48.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint, by and with the advice and consent of the Senate, three persons, not more than two of whom shall be adherents of the same party, as Civil Service Commissioners, and said three commissioners shall constitute the United States Civil Service Commission. Said commissioners shall hold no other official place under the United States.

. . . . . .

Sec. 2. That it shall be the duty of said commissioners:

First. To aid the President, as he may request, in preparing suitable rules for carrying this act into effect,

and when said rules shall have been promulgated it shall be the duty of all officers of the United States in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modifications thereof, into effect.

REFORM WITHOUT BLOODSHED. GOVERNOR CLEVELAND AND THEODORE ROOSEVELT AT THEIR GOOD WORK

(From a cartoon by Thomas Nast in *Harper's Weekly*, April, 1884. This is the first appearance of Roosevelt in cartoons. Nast here significantly compliments Governor Cleveland for uniting with a strong-hearted young Republican like Theodore Roosevelt in certain legislation for reform)

Second. And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

1. For open, competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed.

2. That all the offices, places, and employments so arranged or to be arranged in classes shall be filled by selections according to grade from among those graded highest as the results of such competitive examinations.

3. Appointments to the public service aforesaid in the departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census. Every application for an examination shall contain, among other things, a statement, under oath, setting forth his or her actual *bona fide* residence at the time of making the application, as well as how long he or she has been a resident of such place.

4. That there shall be a period of probation before any absolute appointment or employment aforesaid.

5. That no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

6. That no person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

7. There shall be non-competitive examinations in all proper cases before the commission, when competent

persons do not compete, after notice has been given of the existence of the vacancy, under such rules as may be prescribed by the commissioners as to the manner of giving notice.

8. That notice shall be given in writing by the appointing power to said commission of the persons selected for appointment or employment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons after probation, of transfers, resignations, and removals, and of the date thereof, and a record of the same shall be kept by said commission. . . .

Third. Said commission shall, subject to the rules that may be made by the President, make regulations for, and have control of, such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same. . . .

Fourth. Said commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effects of said rules and regulations, and concerning the action of any examiner or board of examiners hereinafter provided for, and its own subordinates, and those in the public service, in respect to the execution of this act.

Fifth. Said commission shall make an annual report to the President for transmission to Congress, showing its own action, the rules and regulations and the exceptions thereto in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this act.

SEC. 3. That said commission is authorized to employ a chief examiner, a part of whose duty it shall be, under its direction, to act with the examining boards, so far as practicable, whether at Washington or elsewhere, and to secure accuracy, uniformity, and justice in all their proceedings, which shall be at all times open to him. . . . The commission shall, at Washington, and

in one or more places in each State and Territory where examinations are to take place, designate and select a suitable number of persons, not less than three, in the official service of the United States, residing in said State or Territory, after consulting the head of the department or office in which such persons serve, to be members of boards of examiners. . . . Such boards of examiners shall be so located as to make it reasonably convenient and inexpensive for applicants to attend before them; and where there are persons to be examined in any State or Territory, examinations shall be held therein at least twice in each year.

It shall be the duty of the collector, postmaster, and other officers of the United States, at any place outside of the District of Columbia where examinations are directed by the President or by said board to be held, to allow the reasonable use of the public buildings for holding such examinations, and in all proper ways to facilitate the same.

. . . . . .

SEC. 6. That within sixty days after the passage of this act it shall be the duty of the Secretary of the Treasury, in as near conformity as may be to the classification of certain clerks now existing under the one hundred and sixty-third section of the Revised Statutes, to arrange in classes the several clerks and persons employed by the collector, naval officer, surveyor, and appraisers, or either of them, or being in the public service, at their respective offices in each customs district where the whole number of said clerks and persons shall be all together as many as fifty. And thereafter, from time to time, on the direction of the President, said Secretary shall make the like classification or arrangement of clerks and persons so employed, in connection with any said office or offices, in any other customs district. And, upon like request, and for the purposes of

this act, said Secretary shall arrange in one or more of said classes, or of existing classes, any other clerks, agents, or persons employed under his department in

GEORGE HUNT PENDLETON

(From a picture in *Harper's Weekly*, April 4, 1885, after a photograph by C. M. Bell. As a Democratic Senator from Ohio, Pendleton introduced a Civil Service Bill during Hayes's Administration, which was signed in 1883 by President Arthur. It provided for competitive examinations and classification of employees and declared that no official could be removed for failing to contribute "voluntary" assessments. It also provided that any government official convicted of soliciting or receiving such contributions should be subject to a fine of $5,000 or three years' imprisonment or both)

any said district not now classified; and every such arrangement and classification upon being made shall be reported to the President.

Second. Within said sixty days it shall be the duty of the Postmaster-General, in general conformity to said one hundred and sixty-third section, to separately arrange in classes the several clerks and persons employed, or in the public service, at each post-office, or under any postmaster of the United States, where the whole number of said clerks and persons shall together amount to as many as fifty. And thereafter, from time to time, on the direction of the President, it shall be the duty of the Postmaster-General to arrange in like classes the clerks and persons so employed in the postal service in connection with any other post-office; and every such arrangement and classification upon being made shall be reported to the President.

Third. That from time to time said Secretary, the Postmaster-General, and each of the heads of departments mentioned in the one hundred and fifty-eighth section of the Revised Statutes, and each head of an office, shall, on the direction of the President, and for facilitating the execution of this act, respectively revise any then existing classification or arrangement of those in their respective departments and offices, and shall, for the purposes of the examination herein provided for, include in one or more of such classes, so far as practicable, subordinate places, clerks, and officers in the public service pertaining to their respective departments not before classified for examination.

SEC. 7. That after the expiration of six months from the passage of this act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith. But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference con-

ferred by the seventeen hundred and fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of

DOORMAN BRIDGMAN EATON, OF NEW YORK

(From a picture in *Harper's Weekly*, March 17, 1883, after a photograph by Anderson. Member of the Second Civil Service Commission appointed March 1, 1883. The other two members were Leroy D. Thoman, of Ohio, and Dr. John B. Gregory, of Illinois)

said statutes; nor shall any officer not in the executive branch of the government, or any person merely employed as a laborer or workman, be required to be classified hereunder; nor, unless by direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination.

SEC. 8. That no person habitually using intoxicating beverages to excess shall be appointed to, or retained in, any office, appointment, or employment to which the provisions of this act are applicable.

SEC. 9. That whenever there are already two or more members of a family in the public service in the grades covered by this act, no other member of such family shall be eligible to appointment to any of said grades.

SEC. 10. That no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

SEC. 11. That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employee of either of said Houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employee of any department, branch or bureau of the executive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

SEC. 12. That no person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the United States mentioned in this act, or in any navy-yard, fort, or arsenal, solicit in any manner whatever, or receive any contribution of money or any other thing of value for any political purpose whatever.

. . . . . .

Cleveland's Message on Removals from Office, 1886

Cleveland occupies a particularly conspicuous part in the history of Congressional legislation because of his many vetoes and removals from office. Concerning the latter, he sent to the Senate, under date of March 1, 1886, the subjoined message in which he emphatically asserted his rights as Chief Executive and his responsibility for the official actions of which the Senate had made inquiry. Text from "Messages and Papers of the Presidents, 1789–1897," edited by J. D. Richardson. Washington: Government Printing Office, 1898, Vol. VIII., pp. 375–383. (See page 67.)

Ever since the beginning of the present session of the Senate the different heads of the Departments attached to the executive branch of the Government have been plied with various requests and demands from committees of the Senate, from members of such committees, and at last from the Senate itself, requiring the transmission of reasons for the suspension of certain officials during the recess of that body, or for the papers touching the conduct of such officials, or for all documents and papers filed in such Departments in relation to the management and conduct of the offices held by such suspended officials.

The different terms from time to time adopted in making these requests and demands, the order in which they succeeded each other, and the fact that when made

by the Senate the resolution for that purpose was passed in executive session have led to the presumption, the correctness of which will, I suppose, be candidly admitted, that from first to last the information thus sought and the papers thus demanded were desired for use by the Senate and its committees in considering the propriety of the suspensions referred to.

Though these suspensions are my executive acts, based upon considerations addressed to me alone and for which I am wholly responsible, I have had no invitation from the Senate to state the position which I have felt constrained to assume in relation to the same or to interpret for myself my acts and motives in the premises.

In this condition of affairs I have forborne addressing the Senate upon the subject, lest I might be accused of thrusting myself unbidden upon the attention of that body.

But the report of the Committee on the Judiciary of the Senate lately presented and published, which censures the Attorney-General of the United States for his refusal to transmit certain papers relating to a suspension from office, and which also, if I correctly interpret it, evinces a misapprehension of the position of the Executive upon the question of such suspensions, will, I hope, justify this communication.

This report is predicated upon a resolution of the Senate directed to the Attorney-General and his reply to the same. This resolution was adopted in executive session devoted entirely to business connected with the consideration of nominations for office. It required the Attorney-General "to transmit to the Senate copies of all documents and papers that have been filed in the Department of Justice since the 1st day of January, 1885, in relation to the management and conduct of the office of district-attorney of the United States for the southern district of Alabama."

The incumbent of this office on the 1st day of January, 1885, and until the 17th day of July ensuing, was George M. Duskin, who on the day last mentioned was

DANIEL MANNING

[(He was conspicuously active in the Democratic party from 1872–87. He was chairman of the National Democratic Convention of 1880, and was appointed Secretary of the Treasury by President Cleveland in 1885. He died in Albany, New York, December 24, 1887)

suspended by an Executive order, and John D. Burnett designated to perform the duties of said office. At the time of the passage of the resolution above referred to

the nomination of Burnett for said office was pending before the Senate, and all the papers relating to said nomination were before that body for its inspection and information.

In reply to this resolution the Attorney-General, after referring to the fact that the papers relating to the nomination of Burnett had already been sent to the Senate, stated that he was directed by the President to say that—

> The papers and documents which are mentioned in said resolution and still remaining in the custody of this Department, having exclusive reference to the suspension by the President of George M. Duskin, the late incumbent of the office of district-attorney for the southern district of Alabama, it is not considered that the public interests will be promoted by a compliance with said resolution and the transmission of the papers and documents therein mentioned to the Senate in executive session.

Upon this resolution and answer thereto the issue is thus stated by the Committee on the Judiciary at the outset of the report:

> The important question, then, is whether it is within the constitutional competence of either House of Congress to have access to the official papers and documents in the various public offices of the United States created by laws enacted by themselves.

I do not suppose that "the public offices of the United States" are regulated or controlled in their relations to either House of Congress by the fact that they were "created by laws enacted by themselves." It must be that these instrumentalities were created for the benefit of the people and to answer the general purposes of government under the Constitution and the laws, and that they are unencumbered by any lien in favor of either branch of Congress growing out of their construction, and unembarrassed by any obligation to the Senate as the price of their creation.

The complaint of the committee that access to official

papers in the public offices is denied the Senate is met by the statement that at no time has it been the disposition or the intention of the President or any Department of the executive branch of the Government to withhold from the Senate official documents or papers

AUGUSTUS HILL GARLAND

(From a picture in *Harper's Weekly*, February 3, 1883, after a photograph by Bell. Attorney-General of the United States in President Cleveland's first Administration, resigning his seat in the United States Senate to enter the Cabinet)

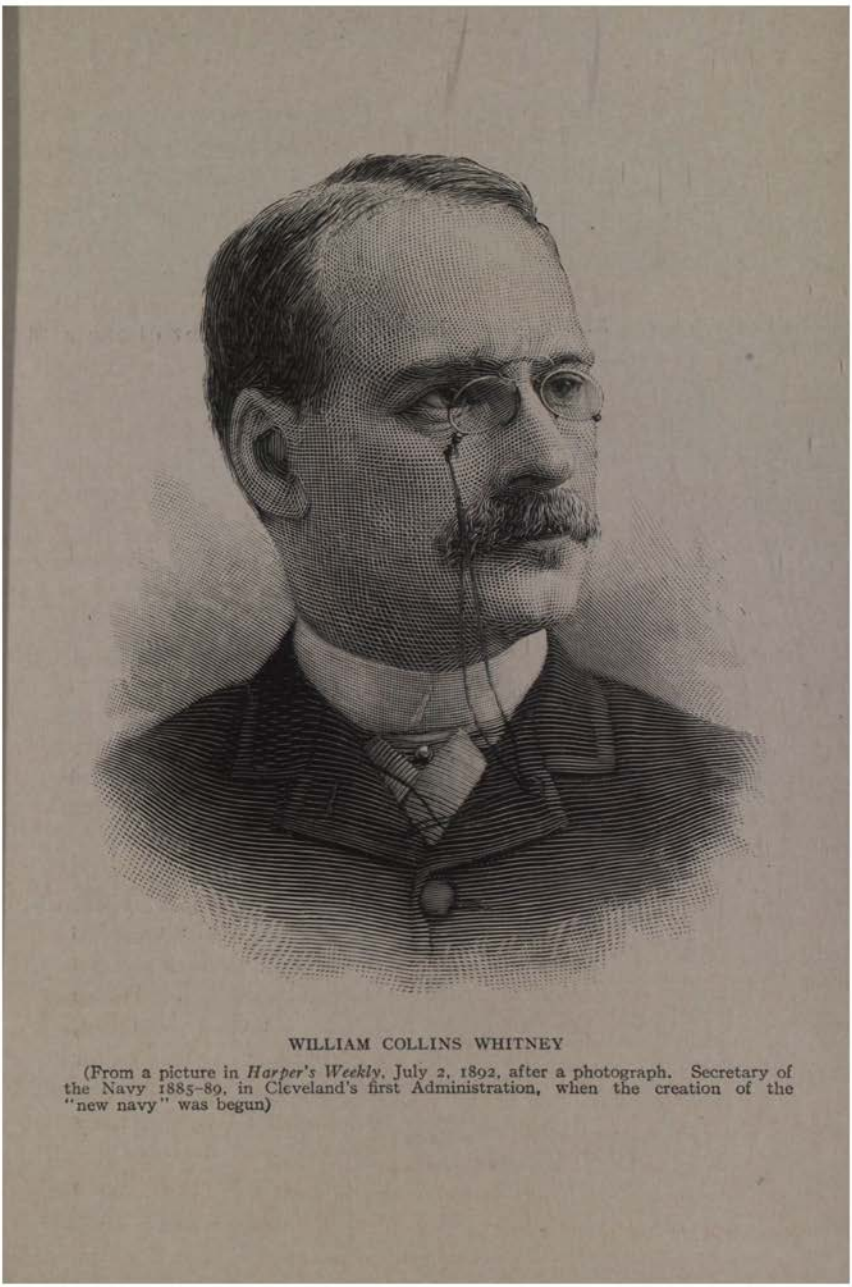
filed in any of the public offices. While it is by no means conceded that the Senate has the right in any case to review the act of the Executive in removing or suspending a public officer, upon official documents or otherwise, it is considered that documents and papers of that nature should, because they are official, be freely transmitted to the Senate upon its demand, trusting the use of the same for proper and legitimate purposes to

the good faith of that body; and though no such paper or document has been specifically demanded in any of the numerous requests and demands made upon the Departments, yet as often as they were found in the public offices they have been furnished in answer to such applications.

The letter of the Attorney-General in response to the resolution of the Senate in the particular case mentioned in the committee's report was written at my suggestion and by my direction. There had been no official papers or documents filed in his Department relating to the case within the period specified in the resolution. The letter was intended, by its description of the papers and documents remaining in the custody of the Department, to convey the idea that they were not official; and it was assumed that the resolution called for information, papers, and documents of the same character as were required by the requests and demands which preceded it.

Everything that had been written or done on behalf of the Senate from the beginning pointed to all letters and papers of a private and unofficial nature as the objects of search, if they were to be found in the Departments, and provided they had been presented to the Executive with a view to their consideration upon the question of suspension from office.

Against the transmission of such papers and documents I have interposed my advice and direction. This has not been done, as is suggested in the committee's report, upon the assumption on my part that the Attorney-General or any other head of a Department "is the servant of the President, and is to give or withhold copies of documents in his office according to the will of the Executive and not otherwise," but because I regard the papers and documents withheld and addressed to me or intended for my use and action purely unofficial and private, not infrequently confidential, and having reference to the performance of a duty exclusively mine.



WILLIAM COLLINS WHITNEY

(From a picture in *Harper's Weekly*, July 2, 1892, after a photograph. Secretary of the Navy 1885–89, in Cleveland's first Administration, when the creation of the "new navy" was begun)

I consider them in no proper sense as upon the files of the Department, but as deposited there for my convenience, remaining still completely under my control. I suppose if I desired to take them into my custody I might do so with entire propriety, and if I saw fit to destroy them no one could complain.

Even the committee in its report appears to concede that there may be with the President or in the Departments papers and documents which, on account of their unofficial character, are not subject to the inspection of the Congress. A reference in the report to instances where the House of Representatives ought not to succeed in a call for the production of papers is immediately followed by this statement:

> The committee feels authorized to state, after a somewhat careful research, that within the foregoing limits there is scarcely in the history of this Government, until now, any instance of a refusal by a head of a Department, or even of the President himself, to communicate official facts and information, as distinguished from private and unofficial papers, motions, views, reasons, and opinions, to either House of Congress when unconditionally demanded.

To which of the classes thus recognized do the papers and documents belong that are now the objects of the Senate's quest?

They consist of letters and representations addressed to the Executive or intended for his inspection; they are voluntarily written and presented by private citizens who are not in the least instigated thereto by any official invitation or at all subject to official control. While some of them are entitled to Executive consideration, many of them are so irrelevant, or in the light of other facts so worthless, that they have not been given the least weight in determining the question to which they are supposed to relate.

Are all these, simply because they are preserved, to be considered official documents and subject to the in-

THE HOUSE OF REPRESENTATIVES IN 1886—JOHN G. CARLISLE, SPEAKER

(From a drawing by T. De Thulstrup, published in *Harper's Weekly*, January 23, 1886)

spection of the Senate? If not, who is to determine which belong to this class? Are the motives and purposes of the Senate, as they are day by day developed, such as would be satisfied with my selection? Am I to submit to theirs at the risk of being charged with making a suspension from office upon evidence which was not even considered?

Are these papers to be regarded official because they have not only been presented but preserved in the public offices?

Their nature and character remain the same whether they are kept in the Executive Mansion or deposited in the D partments. There is no mysterious power of transmutation in departmental custody, nor is there magic in the undefined and sacred solemnity of Department files. If the presence of these papers in the public offices is a stumbling block in the way of performance of Senatorial duty, it can be easily removed.

The papers and documents which have been described derive no official character from any constitutional, statutory, or other requirement making them necessary to the performance of the official duty of the Executive.

It will not be denied, I suppose, that the President may suspend a public officer in the entire absence of any papers or documents to aid his official judgment and discretion; and I am quite prepared to avow that the cases are not few in which suspensions from office have depended more upon oral representations made to me by citizens of known good repute and by members of the House of Representatives and Senators of the United States than upon any letters and documents presented for my examination. I have not felt justified in suspecting the veracity, integrity, and patriotism of Senators, or ignoring their representations, because they were not in party affiliation with the majority of their associates; and I recall a few suspensions which bear

the approval of individual members identified politically with the majority in the Senate.

While, therefore, I am constrained to deny the right of the Senate to the papers and documents described, so far as the right to the same is based upon the claim that they are in any view of the subject official, I am also led unequivocally to dispute the right of the Senate by the aid of any documents whatever, or in any way save through the judicial process of trial on impeachment, to review or reverse the acts of the Executive in the suspension, during the recess of the Senate, of Federal officials.

I believe the power to remove or suspend such officials is vested in the President alone by the Constitution, which in express terms provides that "the executive power shall be vested in a President of the United States of America," and that "he shall take care that the laws be faithfully executed."

The Senate belongs to the legislative branch of the Government. When the Constitution by express provision superadded to its legislative duties the right to advise and consent to appointments to office and to sit as a court of impeachment, it conferred upon that body all the control and regulation of Executive action supposed to be necessary for the safety of the people; and this express and special grant of such extraordinary powers, not in any way related to or growing out of general Senatorial duty, and in itself a departure from the general plan of our Government, should be held, under a familiar maxim of construction, to exclude every other right of interference with Executive functions.

In the first Congress which assembled after the adoption of the Constitution, comprising many who aided in its preparation, a legislative construction was given to that instrument in which the independence of the Executive in the matter of removals from office was fully sustained.

I think it will be found that in the subsequent discussions of this question there was generally, if not at all times, a proposition pending to in some way curtail this power of the President by legislation, which furnishes evidence that to limit such power it was supposed to be necessary to supplement the Constitution by such legislation.

The first enactment of this description was passed under a stress of partisanship and political bitterness which culminated in the President's impeachment.

This law provided that the Federal officers to which it applied could only be suspended during the recess of the Senate when shown by evidence satisfactory to the President to be guilty of misconduct in office, or crime, or when incapable or disqualified to perform their duties, and that within twenty days after the next meeting of the Senate it should be the duty of the President "to report to the Senate such suspension, with the evidence and reasons for his action in the case."

This statute, passed in 1867, when Congress was overwhelmingly and bitterly opposed politically to the President, may be regarded as an indication that even then it was thought necessary by a Congress determined upon the subjugation of the Executive to legislative will to furnish itself a law for that purpose, instead of attempting to reach the object intended by an invocation of any pretended constitutional right.

The law which thus found its way to our statute book was plain in its terms, and its intent needed no avowal. If valid and now in operation, it would justify the present course of the Senate and command the obedience of the Executive to its demands. It may, however, be remarked in passing that under this law the President had the privilege of presenting to the body which assumed to review his executive acts his reasons therefor, instead of being excluded from explanation or judged by papers found in the Departments.

THE INAUGURATION, 1885. PRESIDENT ARTHUR AND MR. CLEVELAND LEAVING THE WHITE HOUSE FOR THE CAPITOL

(From a drawing by T. De Thulstrup, published in *Harper's Weekly*, March 14, 1885)

Two years after the law of 1867 was passed, and within less than five weeks after the inauguration of a President in political accord with both branches of Congress, the sections of the act regulating suspensions from office during the recess of the Senate were entirely repealed, and in their place were substituted provisions which, instead of limiting the causes of suspension to misconduct, crime, disability, or disqualification, expressly permitted such suspension by the President "in his discretion," and completely abandoned the requirement obliging him to report to the Senate "the evidence and reasons" for his action.

With these modifications and with all branches of the Government in political harmony, and in the absence of partisan incentive to captious obstruction, the law as it was left by the amendment of 1869 was much less destructive of Executive discretion. And yet the great general and patriotic citizen who on the 4th day of March, 1869, assumed the duties of Chief Executive, and for whose freer administration of his high office the most hateful restraints of the law of 1867 were, on the 5th day of April, 1869, removed, mindful of his obligation to defend and protect every prerogative of his great trust, and apprehensive of the injury threatened the public service in the continued operation of these statutes even in their modified form, in his first message to Congress advised their repeal and set forth their unconstitutional character and hurtful tendency in the following language:

> It may be well to mention here the embarrassment possible to arise from leaving on the statute books the so-called "tenure-of-office acts," and to earnestly recommend their total repeal. It could not have been the intention of the framers of the Constitution, when providing that appointments made by the President should receive the consent of the Senate, that the latter should have the power to retain in office persons placed there by Federal appointment against the will of the President. The law is inconsistent with a faithful and efficient administration of the Government. What faith can

an Executive put in officials forced upon him, and those too, whom he has suspended for reason? How will such officials be likely to serve an Administration which they know does not trust them?

I am unable to state whether or not this recommendation for a repeal of these laws has been since repeated. If it has not, the reason can probably be found in the experience which demonstrated the fact that the necessities of the political situation but rarely developed their vicious character.

And so it happens that after an existence of nearly twenty years of almost innocuous desuetude these laws are brought forth—apparently the repealed as well as the unrepealed—and put in the way of an Executive who is willing, if permitted, to attempt an improvement in the methods of administration.

The constitutionality of these laws is by no means admitted. But why should the provisions of the repealed law, which required specific cause for suspension and a report to the Senate of "evidence and reasons," be now in effect applied to the present Executive, instead of the law, afterwards passed and unrepealed, which distinctly permits suspensions by the President "in his discretion" and carefully omits the requirement that "evidence and reasons for his action in the case" shall be reported to the Senate?

The requests and demands which by the score have for nearly three months been presented to the different Departments of the Government, whatever may be their form, have but one complexion. They assume the right of the Senate to sit in judgment upon the exercise of my exclusive discretion and Executive function, for which I am solely responsible to the people from whom I have so lately received the sacred trust of office. My oath to support and defend the Constitution, my duty to the people who have chosen me to execute the powers of their great office and not to relinquish them, and my duty to the Chief Magistracy, which I must preserve

unimpaired in all its dignity and vigor, compel me to refuse compliance with these demands.

To the end that the service may be improved, the Senate is invited to the fullest scrutiny of the persons submitted to them for public office, in recognition of the constitutional power of that body to advise and consent to their appointment. I shall continue, as I have thus far done, to furnish, at the request of the confirming body, all the information I possess touching the fitness of the nominees placed before them for their action, both when they are proposed to fill vacancies and to take the place of suspended officials. Upon a refusal to confirm I shall not assume the right to ask the reasons for the action of the Senate nor question its determination. I can not think that anything more is required to secure worthy incumbents in public office than a careful and independent discharge of our respective duties within their well-defined limits.

Though the propriety of suspensions might be better assured if the action of the President was subject to review by the Senate, yet if the Constitution and the laws have placed this responsibility upon the executive branch of the Government it should not be divided nor the discretion which it involves relinquished.

It has been claimed that the present Executive having pledged himself not to remove officials except for cause, the fact of their suspension implies such misconduct on the part of a suspended official as injures his character and reputation, and therefore the Senate should review the case for his vindication.

I have said that certain officials should not, in my opinion, be removed during the continuance of the term for which they were appointed solely for the purpose of putting in their place those in political affiliation with the appointing power, and this declaration was immediately followed by a description of official partisanship which ought not to entitle those in whom it was

exhibited to consideration. It is not apparent how an adherence to the course thus announced carries with it the consequences described. If in any degree the suggestion is worthy of consideration, it is to be hoped that there may be a defense against unjust suspension in the justice of the Executive.

Every pledge which I have made by which I have placed a limitation upon my exercise of executive power has been faithfully redeemed. Of course the pretense is not put forth that no mistakes have been committed; but not a suspension has been made except it appeared to my satisfaction that the public welfare would be improved thereby. Many applications for suspension have been denied, and the adherence to the rule laid down to govern my action as to such suspensions has caused much irritation and impatience on the part of those who have insisted upon more changes in the offices.

The pledges I have made were made to the people, and to them I am responsible for the manner in which they have been redeemed. I am not responsible to the Senate, and I am unwilling to submit my actions and official conduct to them for judgment.

There are no grounds for an allegation that the fear of being found false to my professions influences me in declining to submit to the demands of the Senate. I have not constantly refused to suspend officials, and thus incurred the displeasure of political friends, and yet willfully broken faith with the people for the sake of being false to them.

Neither the discontent of party friends, nor the allurements constantly offered of confirmations of appointees conditioned upon the avowal that suspensions have been made on party grounds alone, nor the threat proposed in the resolutions now before the Senate that no confirmations will be made unless the demands of that body be complied with, are sufficient to discourage or deter me from following in the way which I am convinced leads to better government for the people.

Act for Counting the Electoral Votes, 1887

A bill to fix the day for the meeting of the electors of President and Vice-President and to provide for and regulate the counting of the votes for President and Vice-President and the decision of questions arising thereon was passed in the Senate on March 17, 1886. After being amended in the House, the bill was sent to a conference committee. Its report was adopted in both Houses, and the measure was approved on February 3, 1887. The following is the text of the bill as reported. The passages stricken out are inclosed in brackets and those inserted are printed in italics. Text from "United States Statutes at Large," Forty-ninth Congress, Second Session, 1887, Vol. XXIV., pp. 373–375. (See page 70.)

Be it enacted, etc., That the electors of each State shall meet and give their votes on the second Monday in January next following their appointment, at such place in each State as the Legislature of such State shall direct.

Sec. 2. That if any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination

made pursuant to such laws so existing on said day, and made at least six days prior to the said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

SEC. 3. That it shall be the duty of the Executive of each State, as soon as practicable after the conclusion of the appointment of electors in such State, by the final ascertainment under and in pursuance of the laws of such State providing for such ascertainment, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast; and it shall also thereupon be the duty of the Executive of each State to deliver to the electors of such State, on or before the day on which they are required by the preceding section to meet, the same certificate, in triplicate, under the seal of the State; and such certificate shall be inclosed and transmitted by the electors at the same time and in the same manner as is provided by law for transmitting by such electors to the seat of Government the lists of all persons voted for as President and of all persons voted for as Vice-President; and Section 136 of the Revised Statutes is hereby repealed; and if there shall have been any final determination in a State of a controversy or contest as provided for in Section 2 of this act, it shall be the duty of the Executive of such State, as soon as practicable after such determination, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such determination, in form and manner as the same shall have been made; and the Secretary of State of the

United States, as soon as practicable after the receipt at the State Department of each of the certificates hereinbefore directed to be transmitted to the Secretary of State, shall publish, in such public newspaper as he shall designate, such certificates in full; and at the first meeting of Congress thereafter he shall transmit to the two Houses of Congress copies in full of each and every such certificate so received theretofore at the State Department.

SEC. 4. That Congress shall be in session on the second Wednesday in February succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the hall of the House of Representatives at the hour of one o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules in this act provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, and the names of the persons, if any, elected, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the journals of the two Houses. Upon such reading of any such certificate or paper, the Presi-

dent of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State from which but one *lawful* return has been received shall be rejected (except by the affirmative vote of both Houses). If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in Section 2 of this act to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in Section 2 of this act, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its laws; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the

State aforesaid, then those votes, and those only, shall be counted which (the two Houses, acting separately, shall concurrently decide to be the lawful votes of the legally appointed electors of such State) *were cast by electors whose appointment shall have been duly certified under the seal of the State by the Executive thereof, in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State.* When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the question submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SEC. 5. That while the two Houses shall be in meeting as provided in this act the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw.

SEC. 6. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

SEC. 7. That at such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the hall upon the right of the presiding officer; for the Representatives, in the body of the hall not provided for the Senators; for the tellers, Secretary of the Senate,

and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of ten o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

Interstate Commerce Act, 1887

A bill and a lengthy report were submitted to the Senate by a special committee on January 18, 1886, and became the subject of protracted discussion and numerous changes, resulting in the Act approved February 4, 1887. It is to be noted that several supplementary Acts have since been passed. Extracts from text in "United States Statutes at Large," Vol. XXIV., pp. 379–387. (See page 70.)

Be it enacted, etc., That the provisions of this act shall apply to any common carrier or carriers engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water when both are used, under a common control, management, or arrangement, for a continuous carriage or shipment, from one State or Territory of the United States, or the District of Columbia, to any other State or Territory of the United States, or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States, and also to the transportation in like manner of property shipped from any place in the United States to a foreign country and carried from such place to a port of transshipment, or shipped from a foreign country to any place in the United States and carried to such place from a port of entry either in the United States or an adjacent foreign country: *Provided*,

however, That the provisions of this act shall not apply to the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property, wholly within one State, and not shipped to or

SENATOR JOHN H. REAGAN, OF TEXAS

(From a picture in *Harper's Weekly*, February 12, 1887, after a photograph by C. M. Bell. As far back as 1878 Reagan had introduced in Congress a railway-regulation bill which was now (1887) favored in the House. In 1885 the House passed the Reagan bill. The West and the South demanded that the two chambers harmonize their differences. As a result an investigation of railway evils was made by a Senate committee under the chairmanship of Senator S. M. Cullom, which reported that "the paramount evil" was unjust discrimination between persons, places, and commodities rather than exorbitant rates)

from a foreign country from or to any State or Territory as aforesaid.

The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or

operated under a contract, agreement, or lease; and the term "transportation" shall include all instrumentalities of shipment or carriage.

All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivering, storage, or handling of such property, shall be reasonable and just; and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful.

SEC. 2. That if any common carrier subject to the provisions of this act shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property, subject to the provisions of this act, than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, such common carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful.

SEC. 3. That it shall be unlawful for any common carrier subject to the provisions of this act to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, or locality, or any particular description of traffic, in any respect whatsoever, or to subject any particular person, company, firm, corporation, or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Every common carrier subject to the provisions of this act shall, according to their respective powers, afford all reasonable, proper, and equal facilities for the

interchange of traffic between their respective lines, and for the receiving, forwarding, and delivering of passengers and property to and from their several lines and those connecting therewith, and shall not discriminate in their rates and charges between such connecting

SELBY MOORE CULLOM

(From a picture in *Harper's Weekly*, January 27, 1883, after a photograph by Deane. He was chairman of the Senate committee in 1886 appointed to investigate railway evils)

lines; but this shall not be construed as requiring any such common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business.

SEC. 4. That it shall be unlawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers or of like kind of

property, under substantially similar circumstances and conditions, for a shorter than for a longer distance over the same line, in the same direction, the shorter being included within the longer distance; but this shall not be construed as authorizing any common carrier within the terms of this act to charge and receive as great compensation for a shorter as for a longer distance: *Provided, however,* That upon application to the Commission appointed under the provisions of this act, such common carrier may, in special cases, after investigation by the Commission, be authorized to charge less for longer than for shorter distances for the transportation of passengers or property; and the Commission may from time to time prescribe the extent to which such designated common carrier may be relieved from the operation of this section of this act.

SEC. 5. That it shall be unlawful for any common carrier subject to the provisions of this act to enter into any contract, agreement, or combination with any other common carrier or carriers for the pooling of freights of different and competing railroads, or to divide between them the aggregate or net proceeds of the earnings of such railroads, or any portion thereof; and in any case of an agreement for the pooling of freights as aforesaid, each day of its continuance shall be deemed a separate offense.

SEC. 6. That every common carrier subject to the provisions of this act shall print and keep for public inspection schedules showing the rates and fares and charges for the transportation of passengers and property which any such common carrier has established and which are in force at the time upon its railroad, as defined by the first section of this act. The schedules printed as aforesaid by any such common carrier shall plainly state the places upon its railroad between which property and passengers will be carried, and shall contain the classification of freight in force upon such rail-

JOHN D. ROCKEFELLER IN 1889

WILLIAM ROCKEFELLER IN 1889

(The Interstate Commerce Act of 1887 was intended to stop the practice of giving cheaper freight rates to large producers, chief among whom in bargaining with the railroads for lower rates was the Standard Oil Company. John D. Rockefeller, the most conspicuous figure in forming and developing the Standard Oil Company, was seconded by his brother William and other able associates)

road, and shall also state separately the terminal charges and any rules or regulations which in any wise change, affect, or determine any part or the aggregate of such aforesaid rates and fares and charges. Such schedules shall be plainly printed in large type, . . . and copies for the use of the public shall be kept in every depot or station upon any such railroad, in such places and in such form that they can be conveniently inspected.

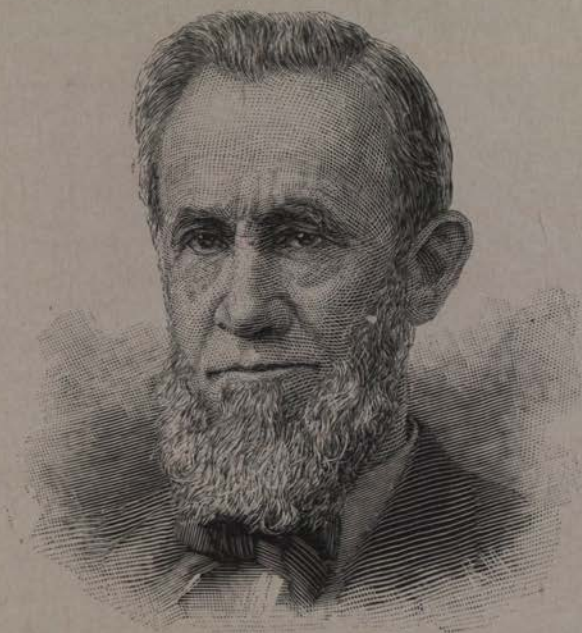
. . . . . .

No advance shall be made in the rates, fares, and charges which have been established and published as aforesaid by any common carrier in compliance with the requirements of this section, except after ten days' public notice, which shall plainly state the changes proposed to be made in the schedule then in force, and the time when the increased rates, fares, or charges will go into effect. . . . Reductions in such published rates, fares, or charges may be made without previous public notice; but whenever any such reduction is made, notice of the same shall immediately be publicly posted. . . .

And when any such common carrier shall have established and published its rates, fares, and charges in compliance with the provisions of this section, it shall be unlawful for such common carrier to charge, demand, collect, or receive from any person or persons a greater or less compensation for the transportation of passengers or property, or for any services in connection therewith, than is specified in such published schedule of rates, fares, and charges as may at the time be in force.

Every common carrier subject to the provisions of this act shall file with the Commission hereinafter provided for copies of its schedules of rates, fares, and charges which have been established and published in compliance with the requirements of this section, and

shall promptly notify said Commission of all changes made in the same. Every such common carrier shall also file with said Commission copies of all contracts, agreements, or arrangements with other common carriers in relation to any traffic affected by the provisions of



THOMAS M. COOLEY, OF MICHIGAN

(From a picture in *Harper's Weekly*, April 2, 1887, after a photograph. He was chairman of the Interstate Commerce Commission and was appointed for the term of six years by President Cleveland in April, 1887. Mr. Cooley was a noted lawyer with experience as receiver for a large railroad system)

this act to which it may be a party. And in cases where passengers and freight pass over continuous lines or routes operated by more than one common carrier, and the several common carriers operating such lines or routes establish joint tariffs of rates or fares or charges for such continuous lines or routes, copies of such joint

tariffs shall also, in like manner, be filed with said Commission. . . .

. . . . . .

SEC. 7. That it shall be unlawful for any common carrier subject to the provisions of this act to enter into any combination, contract, or agreement, expressed or implied, to prevent, by change of time schedule, carriage in different cars, or by other means or devices, the carriage of freights from being continuous from the place of shipment to the place of destination; and no break of bulk, stoppage, or interruption made by such common carrier shall prevent the carriage of freights from being treated as one continuous carriage from the place of shipment to the place of destination, unless such break, stoppage, or interruption was made in good faith for some necessary purpose, and without any intent to avoid or unnecessarily interrupt such continuous carriage or to evade any of the provisions of this act.

SEC. 8. That in case any common carrier subject to the provisions of this act shall do, cause to be done, or permit to be done any act, matter, or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this act required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case.

SEC. 9. That any person or persons claiming to be damaged by any common carrier subject to the provisions of this act may either make complaint to the Commission as hereinafter provided for, or may bring suit in his or their own behalf for the recovery of the damages for which such common carrier may be liable

under the provisions of this act, in any district or circuit court of the United States of competent jurisdiction. . . . In any such action brought for the recovery of damages the court before which the same shall be pending may compel any director, officer, receiver,

WILLIAM R. MORRISON

(From a picture published in *Harper's Weekly*, April 2, 1887, after a photograph by Bell. He was appointed in 1887 a member of the Interstate Commerce Commission from Illinois for the term of five years. He was known as the leader of the Democrats who approved a reform of the tariff. He served eight terms in Congress from his native State, Illinois)

trustee, or agent of the corporation or company defendant in such suit to attend, appear, and testify in such case, and may compel the production of the books and papers of such corporation or company party to any such suit; the claim that any such testimony or evidence may tend to criminate the person giving such evidence

shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

SEC. 10. That any common carrier subject to the provisions of this act, or, whenever such common carrier is a corporation, any director or officer thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by such corporation, who, alone or with any other corporation, company, person, or party, shall willfully do or cause to be done, or shall willingly suffer or permit to be done, any act, matter, or thing in this act prohibited or declared to be unlawful, or who shall aid or abet therein, or who shall willfully omit or fail to do any act, matter, or thing in this act required to be done, or shall cause or willingly suffer or permit any act, matter, or thing so directed or required by this act to be done not to be done so, or shall aid or abet any such omission or failure, or shall be guilty of any infraction of this act, or shall aid or abet therein, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any district court of the United States within the jurisdiction of which such offense was committed, be subject to a fine of not to exceed five thousand dollars for each offense.

SEC. 11. That a Commission is hereby created and established to be known as the Inter-State Commerce Commission, which shall be composed of five Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate. The Commissioners first appointed under this act shall continue in office for the term of two, three, four, five, and six years, respectively, from the 1st day of January, A. D. 1887, the term of each to be designated by the President; but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he shall succeed. Any

Commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Not more than three of the Commissioners shall be appointed from the same political party. No person in the employ of or holding any official relation to any

ALDACE F. WALKER

(From a picture in *Harper's Weekly*, April 2, 1887, after a photograph. Appointed in 1887 member of the Interstate Commerce Commission from Vermont for the term of three years)

common carrier subject to the provisions of this act, or owning stock or bonds thereof, or who is in any manner pecuniarily interested therein, shall enter upon the duties of or hold such office. Said Commissioners shall not engage in any other business, vocation, or employment. No vacancy in the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission.

SEC. 12. That the Commission hereby created shall have authority to inquire into the management of the business of all common carriers subject to the provisions of this act, and shall keep itself informed as to the manner and method in which the same is conducted, and shall have the right to obtain from such common carriers full and complete information necessary to enable the Commission to perform the duties and carry out the objects for which it was created; and for the purposes of this act the Commission shall have power to require the attendance and testimony of witnesses and the production of all books, papers, tariffs, contracts, agreements, and documents relating to any matter under investigation, and to that end may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and documents under the provisions of this section.

. . . . . .

SEC. 13. That any person, firm, corporation, or association, or any mercantile, agricultural, or manufacturing society, or any body politic or municipal organization complaining of anything done or omitted to be done by any common carrier subject to the provisions of this act in contravention of the provisions thereof, may apply to said Commission by petition, which shall briefly state the facts; whereupon a statement of the charges thus made shall be forwarded by the Commission to such common carrier, who shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time, to be specified by the Commission. If such common carrier, within the time specified, shall make reparation for the injury alleged to have been done, said carrier shall be relieved of liability to the complainant only for the particular violation of law thus complained of. If such carrier shall not satisfy

the complaint within the time specified, or there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the Commission to investigate the matters complained of in such manner and by such means as it shall deem proper.

AUGUSTUS SCHOONMAKER

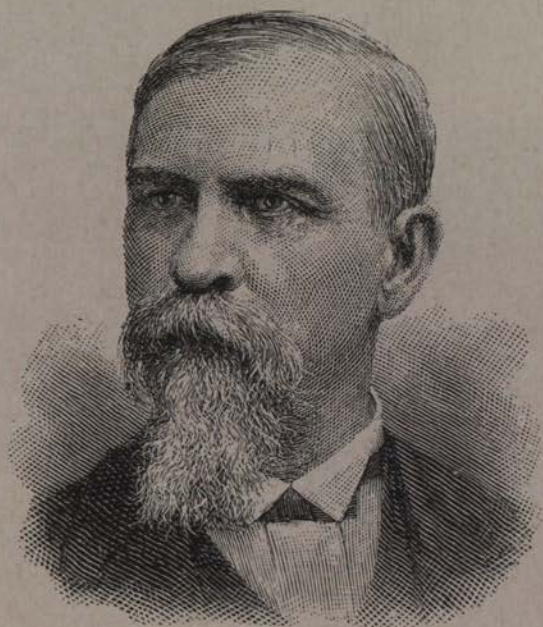
(From a photograph by Pach Brothers, published in *Harper's Weekly*, April 2, 1887. Appointed member of the Interstate Commerce Commission of 1887 from New York for the term of four years)

Said Commission shall in like manner investigate any complaint forwarded by the railroad commissioner or railroad commission of any State or Territory, at the request of such commissioner or commission, and may institute any inquiry on its own motion in the same manner and to the same effect as though complaint had been made. . . .

SEC. 15. That if in any case in which an investigation shall be made by said Commission it shall be made to appear to the satisfaction of the Commission, either by the testimony of witnesses or other evidence, that anything has been done or omitted to be done in violation of the provisions of this act, or of any law cognizable by said Commission, by any common carrier, or that any injury or damage has been sustained by the party or parties complaining, or by other parties aggrieved in consequence of any such violation, it shall be the duty of the Commission to forthwith cause a copy of its report in respect thereto to be delivered to such common carrier, together with a notice to said common carrier to cease and desist from such violation, or to make reparation for the injury so found to have been done, or both, within a reasonable time, to be specified by the Commission; and if, within the time specified, it shall be made to appear to the Commission that such common carrier has ceased from such violation of law, and has made reparation for the injury found to have been done, in compliance with the report and notice of the Commission, or to the satisfaction of the party complaining, a statement to that effect shall be entered of record by the Commission, and the said common carrier shall thereupon be relieved from further liability or penalty for such particular violation of law.

SEC. 16. That whenever any common carrier, as defined in and subject to the provisions of this act, shall violate or refuse or neglect to obey any lawful order or requirement of the Commission in this act named, it shall be the duty of the Commission, and lawful for any company or person interested in such order or requirement, to apply, in a summary way, by petition, to the circuit court of the United States sitting in equity in the judicial district in which the common carrier complained of has its principal office, or in which the violation or disobedience of such order or requirement shall

happen, alleging such violation or disobedience, as the case may be; and the said court shall have power to hear and determine the matter, on such short notice to the common carrier complained of as the court shall



WALTER L. BRAGG

(From a picture in *Harper's Weekly*, April 2, 1887. Appointed member of the Interstate Commerce Commission of 1887 from the South)

deem reasonable. . . . When the subject in dispute shall be of the value of two thousand dollars or more, either party to such proceeding before said court may appeal to the Supreme Court of the United States. . . .

. . . . . .

SEC. 20. That the Commission is hereby authorized to require annual reports from all common carriers subject to the provisions of this act, to fix the time and

prescribe the manner in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the Commission may need information. Such annual reports shall show in detail the amount of capital stock issued, the amounts paid therefor, and the manner of payment for the same; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipment; the number of employees and the salaries paid each class; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance-sheet. Such reports shall also contain such information in relation to rates or regulations concerning fares or freights, or agreements, arrangements, or contracts with other common carriers, as the Commission may require; and the said Commission may, within its discretion, for the purpose of enabling it the better to carry out the purposes of this act, prescribe (if in the opinion of the Commission it is practicable to prescribe such uniformity and methods of keeping accounts) a period of time within which all common carriers subject to the provisions of this act shall have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept.

. . . . . .

SEC. 22. That nothing in this act shall apply to the carriage, storage, or handling of property free or at reduced rates for the United States, State, or municipal governments, or for charitable purposes, or to or from fairs and expositions for exhibition thereat, or the is-

suance of mileage, excursion, or commutation passenger tickets: nothing in this act shall be construed to prohibit any common carrier from giving reduced rates to ministers of religion; nothing in this act shall be construed to prevent railroads from giving free carriage to their own officers and employees, or to prevent the principal officers of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employees; and nothing in this act contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this act are in addition to such remedies: *Provided*, That no pending litigation shall in any way be affected by this act. . . .

Cleveland's Tariff Message, 1887

On December 6, 1887, President Cleveland sent a special message to Congress, in which he called attention to the serious condition of the national finances and demanded a revision of the tariff as a remedial measure. Text from "Messages and Papers of the Presidents, 1789–1897," edited by J. D. Richardson. Washington: Government Printing Office, 1898, Vol. VIII., pp. 580–591. (See page 77.)

You are confronted at the threshold of your legislative duties with a condition of the national finances which imperatively demands immediate and careful consideration.

The amount of money annually exacted, through the operation of present laws, from the industries and necessities of the people largely exceeds the sum necessary to meet the expenses of the Government.

When we consider that the theory of our institutions guarantees to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share toward the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public Treasury, which should only exist as a con-

TO AMEND BUT NOT TO DESTROY

Uncle Sam: "How much o' that dew ye calkelate ter take off?"
G. C.: "The rough edges merely."

(Cartoon by Thomas Nast, published in *Harper's Weekly*, March 31, 1888)

duit conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

This condition of our Treasury is not altogether new, and it has more than once of late been submitted to the people's representatives in the Congress, who alone can apply a remedy. And yet the situation still continues, with aggravated incidents, more than ever presaging financial convulsion and widespread disaster.

It will not do to neglect this situation because its dangers are not now palpably imminent and apparent. They exist none the less certainly, and await the unforeseen and unexpected occasion when suddenly they will be precipitated upon us.

On the 30th day of June, 1885, the excess of revenues over public expenditures, after complying with the annual requirement of the sinking-fund act, was $17,859,735.84; during the year ended June 30, 1886, such excess amounted to $49,405,545.20, and during the year ended June 30, 1887, it reached the sum of $55,567,849.54.

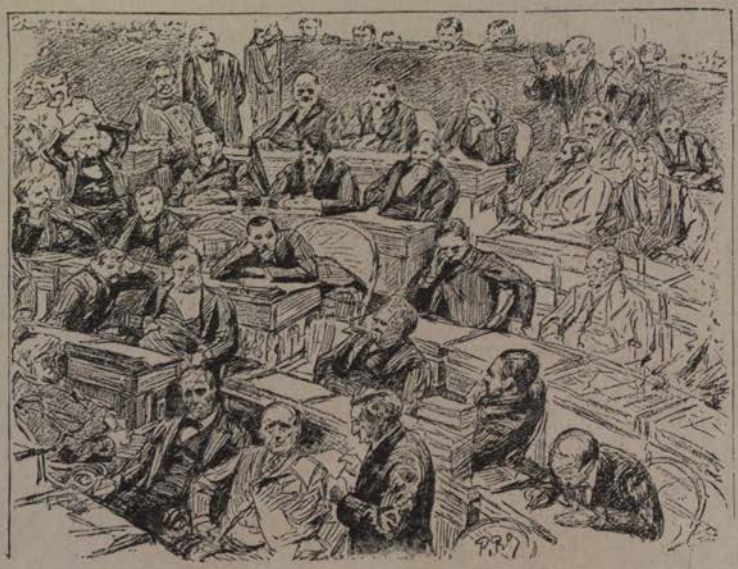
The annual contributions to the sinking fund during the three years above specified, amounting in the aggregate to $138,058,320.94, and deducted from the surplus as stated, were made by calling in for that purpose outstanding 3 per cent bonds of the Government. • During the six months prior to June 30, 1887, the surplus revenue had grown so large by repeated accumulations, and it was feared the withdrawal of this great sum of money needed by the people would so affect the business of the country, that the sum of $79,864,100 of such surplus was applied to the payment of the principal and interest of the 3 per cent bonds still outstanding, and which were then payable at the option of the Government. The

precarious condition of financial affairs among the people still needing relief, immediately after the 30th day of June, 1887, the remainder of the 3 per cent bonds then outstanding, amounting with principal and interest to the sum of $18,877,500, were called in and applied to the sinking-fund contribution for the current fiscal year. Notwithstanding these operations of the Treasury Department, representations of distress in business circles not only continued, but increased, and absolute peril seemed at hand. In these circumstances the contribution to the sinking fund for the current fiscal year was at once completed by the expenditure of $27,684,283.55 in the purchase of Government bonds not yet due bearing 4 and 4½ per cent interest, the premium paid thereon averaging about 24 per cent for the former and 8 per cent for the latter. In addition to this, the interest accruing during the current year upon the outstanding bonded indebtedness of the Government was to some extent anticipated, and banks selected as depositories of public money were permitted to somewhat increase their deposits.

While the expedients thus employed to release to the people the money lying idle in the Treasury served to avert immediate danger, our surplus revenues have continued to accumulate, the excess for the present year amounting on the 1st day of December to $55,258,701.19, and estimated to reach the sum of $113,000,000 on the 30th of June next, at which date it is expected that this sum, added to prior accumulations, will swell the surplus in the Treasury to $140,000,000.

There seems to be no assurance that, with such a withdrawal from use of the people's circulating medium, our business community may not in the near future be subjected to the same distress which was quite lately produced from the same cause. And while the functions of our National Treasury should be few and simple, and while its best condition would be reached, I believe, by

its entire disconnection with private business interests, yet when, by a perversion of its purposes, it idly holds money uselessly substracted from the channels of trade, there seems to be reason for the claim that some legitimate means should be devised by the Government to



SAMUEL JACKSON RANDALL, OF PENNSYLVANIA, DELIVERING HIS SPEECH IN THE DEBATE ON THE MILLS TARIFF BILL, MAY 19, 1888

(From a drawing by Paul Rénouard, published in *Harper's Weekly*, June 2, 1888. Randall was Speaker of the House from 1876–81. In the various debates on the tariff he was recognized as a leader of the protection wing of the Democratic party. He opposed the Morrison and Mills tariff bills, and antagonized some of the strongest members of his party by his independent course)

restore in an emergency, without waste or extravagance, such money to its place among the people.

If such an emergency arises, there now exists no clear and undoubted executive power of relief. Heretofore the redemption of 3 per cent bonds, which were payable at the option of the Government, has afforded a means for the disbursement of the excess of our revenues; but these bonds have all been retired, and

there are no bonds outstanding the payment of which we have a right to insist upon. The contribution to the sinking fund which furnishes the occasion for expenditure in the purchase of bonds has been already made for the current year, so that there is no outlet in that direction.

In the present state of legislation the only pretense of any existing executive power to restore at this time any part of our surplus revenues to the people by its expenditure consists in the supposition that the Secretary of the Treasury may enter the market and purchase the bonds of the Government not yet due, at a rate of premium to be agreed upon. The only provision of law from which such a power could be derived is found in an appropriation bill passed a number of years ago, and it is subject to the suspicion that it was intended as temporary and limited in its application, instead of conferring a continuing discretion and authority. No condition ought to exist which would justify the grant of power to a single official, upon his judgment of its necessity, to withhold from or release to the business of the people, in an unusual manner, money held in the Treasury, and thus affect at his will the financial situation of the country; and if it is deemed wise to lodge in the Secretary of the Treasury the authority in the present juncture to purchase bonds, it should be plainly vested, and provided, as far as possible, with such checks and limitations as will define this official's right and discretion and at the same time relieve him from undue responsibility.

In considering the question of purchasing bonds as a means of restoring to circulation the surplus money accumulating in the Treasury, it should be borne in mind that premiums must of course be paid upon such purchase, that there may be a large part of these bonds held as investments which can not be purchased at any price, and that combinations among holders who are

willing to sell may unreasonably enhance the cost of such bonds to the Government.

It has been suggested that the present bonded debt might be refunded at a less rate of interest and the difference between the old and new security paid in cash, thus finding use for the surplus in the Treasury. The success of this plan, it is apparent, must depend upon the volition of the holders of the present bonds; and it is not entirely certain that the inducement which must be offered them would result in more financial benefit to the Government than the purchase of bonds, while the latter proposition would reduce the principal of the debt by actual payment instead of extending it.

The proposition to deposit the money held by the Government in banks throughout the country for use by the people is, it seems to me, exceedingly objectionable in principle, as establishing too close a relationship between the operations of the Government Treasury and the business of the country and too extensive a commingling of their money, thus fostering an unnatural reliance in private business upon public funds. If this scheme should be adopted, it should only be done as a temporary expedient to meet an urgent necessity. Legislative and executive effort should generally be in the opposite direction, and should have a tendency to divorce, as much and as fast as can be safely done, the Treasury Department from private enterprise.

Of course it is not expected that unnecessary and extravagant appropriations will be made for the purpose of avoiding the accumulation of an excess of revenue. Such expenditure, besides the demoralization of all just conceptions of public duty which it entails, stimulates a habit of reckless improvidence not in the least consistent with the mission of our people or the high and beneficent purposes of our Government.

I have deemed it my duty to thus bring to the knowledge of my countrymen, as well as to the attention of

ROGER QUARLES MILLS, OF TEXAS

(From a drawing by Paul Rénouard, published in *Harper's Weekly*, May 19, 1888. Chairman of the Ways and Means Committee in the Congress of 1887–89, who reported in 1888 the Mills bill, prepared in the direction of tariff reform. The bill passed the Democratic House and was defeated in the Republican Senate)

their representatives charged with the responsibility of legislative relief, the gravity of our financial situation. The failure of the Congress heretofore to provide against the dangers which it was quite evident the very nature of the difficulty must necessarily produce caused a condition of financial distress and apprehension since your last adjournment which taxed to the utmost all the authority and expedients within executive control; and these appear now to be exhausted. If disaster results from the continued inaction of Congress, the responsibility must rest where it belongs.

Though the situation thus far considered is fraught with danger which should be fully realized, and though it presents features of wrong to the people as well as peril to the country, it is but a result growing out of a perfectly palpable and apparent cause, constantly reproducing the same alarming circumstances—a congested National Treasury and a depleted monetary condition in the business of the country. It need hardly be stated that while the present situation demands a remedy, we can only be saved from a like predicament in the future by the removal of its cause.

Our scheme of taxation, by means of which this needless surplus is taken from the people and put into the public Treasury, consists of a tariff or duty levied upon importations from abroad and internal-revenue taxes levied upon the consumption of tobacco and spirituous and malt liquors. It must be conceded that none of the things subjected to internal-revenue taxation are, strictly speaking, necessaries. There appears to be no just complaint of this taxation by the consumers of these articles, and there seems to be nothing so well able to bear the burden without hardship to any portion of the people.

But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their

primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, how-

MR. MCKINLEY, OF OHIO, EXHIBITING A TEN-DOLLAR "ALL-WOOL" BOSTON-MADE SUIT OF CLOTHES, WHILE DEBATING ON THE MILLS TARIFF BILL, MAY, 1888

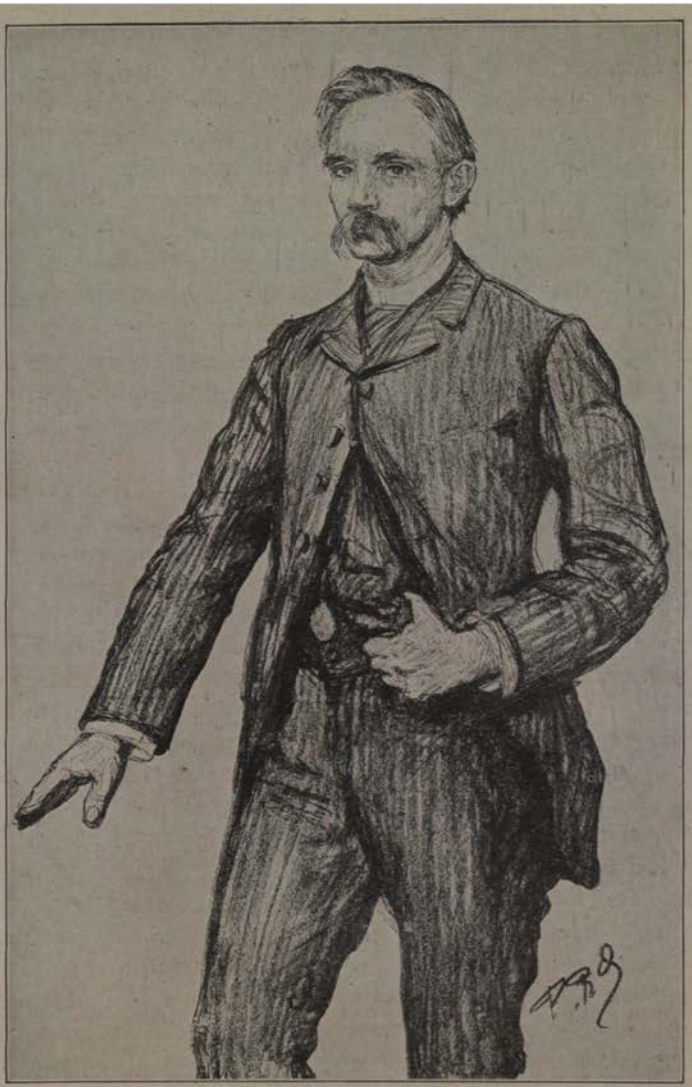
(From a drawing by Paul Rénouard, published in *Harper's Weekly*, June 2, 1888)

ever, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, millions of our people, who never used and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which

the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

It is not proposed to entirely relieve the country of this taxation. It must be extensively continued as the source of the Government's income; and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufacturers. It may be called protection or by any other name, but relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperiling the existence of our manufacturing interests. But this existence should not mean a condition which, without regard to the public welfare or a national exigency, must always insure the realization of immense profits instead of moderately profitable returns. As the volume and diversity of our national activities increase, new recruits are added to those who desire a continuation of the advantages which they conceive the present system of tariff taxation directly affords them. So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.

We are in the midst of centennial celebrations, and with becoming pride we rejoice in American skill and



WILLIAM LYNE WILSON OF, WEST VIRGINIA

(From a drawing by Paul Rénouard, published in *Harper's Weekly*, May 19, 1888. Democratic member of the Ways and Means Committee in 1887 who took a leading part in the debate on the Mills Tariff bill, which closed May 19, 1888. A member of Congress from 1882 to 1894, he was considered one of the best examples of the "scholar in politics." In 1893 he became chairman of the Ways and Means Committee and introduced the tariff bill that bears his name, which was adopted in 1894)

ingenuity, in American energy and enterprise, and in the wonderful natural advantages and resources developed by a century's national growth. Yet when an attempt is made to justify a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers, quite beyond a reasonable demand for governmental regard, it suits the purposes of advocacy to call our manufactures infant industries still needing the highest and greatest degree of favor and fostering care that can be wrung from Federal legislation.

It is also said that the increase in the price of domestic manufactures resulting from the present tariff is necessary in order that higher wages may be paid to our workingmen employed in manufactories than are paid for what is called the pauper labor of Europe. All will acknowledge the force of an argument which involves the welfare and liberal compensation of our laboring people. Our labor is honorable in the eyes of every American citizen; and as it lies at the foundation of our development and progress, it is entitled, without affectation or hypocrisy, to the utmost regard. The standard of our laborers' life should not be measured by that of any other country less favored, and they are entitled to their full share of all our advantages.

By the last census it is made to appear that of the 17,392,099 of our population engaged in all kinds of industries 7,670,493 are employed in agriculture, 4,074,238 in professional and personal service (2,934,876 of whom are domestic servants and laborers), while 1,810,256 are employed in trade and transportation and 3,837,112 are classed as employed in manufacturing and mining.

For present purposes, however, the last number given should be considerably reduced. Without attempting to enumerate all, it will be conceded that there should be deducted from those which it includes 375,143 carpenters and joiners, 285,401 milliners, dressmakers, and

JOHN GRIFFIN CARLISLE

(From a drawing by Paul Rénouard, published in *Harper's Weekly*, June 2, 1888. As candidate of the revenue-reform wing of the Democrats, he received the nomination and election to the office of Speaker of the House of Representatives in 1883. He was twice re-elected, serving until 1889. From 1890 to 1893 he was United States Senator. On March 4, 1893, he resigned his seat to enter President Cleveland's second Cabinet as Secretary of the Treasury)

seamstresses, 172,726 blacksmiths, 133,756 tailors and tailoresses, 102,473 masons, 76,241 butchers, 41,309 bakers, 22,083 plasterers, and 4,891 engaged in manufacturing agricultural implements, amounting in the aggregate to 1,214,023, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

To these the appeal is made to save their employment and maintain their wages by resisting a change. There should be no disposition to answer such suggestions by the allegation that they are in a minority among those who labor, and therefore should forego an advantage in the interest of low prices for the majority. Their compensation, as it may be affected by the operation of tariff laws, should at all times be scrupulously kept in view; and yet with slight reflection they will not overlook the fact that they are consumers with the rest; that they too have their own wants and those of their families to supply from their earnings, and that the price of the necessaries of life, as well as the amount of their wages, will regulate the measure of their welfare and comfort.

But the reduction of taxation demanded should be so measured as not to necessitate or justify either the loss of employment by the workingman or the lessening of his wages; and the profits still remaining to the manufacturer after a necessary readjustment should furnish no excuse for the sacrifice of the interests of his employees, either in their opportunity to work or in the diminution of their compensation. Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives at the desk of his employer his wages, and perhaps before he reaches

his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits the hard-earned compensation of many days of toil.

The farmer and the agriculturist, who manufacture nothing, but who pay the increased price which the tariff imposes upon every agricultural implement, upon all he wears, and upon all he uses and owns, except the increase of his flocks and herds and such things as his husbandry produces from the soil, is invited to aid in maintaining the present situation; and he is told that a high duty on imported wool is necessary for the benefit of those who have sheep to shear, in order that the price of their wool may be increased. They, of course, are not reminded that the farmer who has no sheep is by this scheme obliged, in his purchases of clothing and woolen goods, to pay a tribute to his fellow-farmer as well as to the manufacturer and merchant, nor is any mention made of the fact that the sheep owners themselves and their households must wear clothing and use other articles manufactured from the wool they sell at tariff prices, and thus as consumers must return their share of this increased price to the tradesman.

I think it may be fairly assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks, numbering from twenty-five to fifty. The duty on the grade of imported wool which these sheep yield is 10 cents each pound if of the value of 30 cents or less and 12 cents if of the value of more than 30 cents. If the liberal estimate of 6 pounds be allowed for each fleece, the duty thereon would be 60 or 72 cents; and this may be taken as the utmost enhancement of its price to the farmer by reason of this duty. Eighteen dollars would thus represent the increased price of the wool from twenty-five sheep and $36 that from the wool of fifty sheep; and at present values this addition would amount to about one-third

of its price. If upon its sale the farmer receives this or a less tariff profit, the wool leaves his hands charged with precisely that sum, which in all its changes will adhere to it until it reaches the consumer. When manufactured into cloth and other goods and material for use, its cost is not only increased to the extent of the farmer's tariff profit, but a further sum has been added for the benefit of the manufacturer under the operation of other tariff laws. In the meantime the day arrives when the farmer finds it necessary to purchase woolen goods and material to clothe himself and family for the winter. When he faces the tradesman for that purpose, he discovers that he is obliged not only to return in the way of increased prices his tariff profit on the wool he sold, and which then perhaps lies before him in manufactured form, but that he must add a considerable sum thereto to meet a further increase in cost caused by a tariff duty on the manufacture. Thus in the end he is aroused to the fact that he has paid upon a moderate purchase, as a result of the tariff scheme, which when he sold his wool seemed so profitable, an increase in price more than sufficient to sweep away all the tariff profit he received upon the wool he produced and sold.

When the number of farmers engaged in wool raising is compared with all the farmers in the country and the small proportion they bear to our population is considered; when it is made apparent that in the case of a large part of those who own sheep the benefit of the present tariff on wool is illusory; and, above all, when it must be conceded that the increase of the cost of living caused by such tariff becomes a burden upon those with moderate means and the poor, the employed and unemployed, the sick and well, and the young and old, and that it constitutes a tax which with relentless grasp is fastened upon the clothing of every man, woman, and child in the land, reasons are suggested

PRESIDENT CLEVELAND AT HIS DESK IN 1885

(From a drawing from life at Albany, New York, by Frederick Dielman, published in *Harper's Weekly*, March 7, 1885)

why the removal or reduction of this duty should be included in a revision of our tariff laws.

In speaking of the increased cost to the consumer of our home manufactures resulting from a duty laid upon imported articles of the same description, the fact is not overlooked that competition among our domestic producers sometimes has the effect of keeping the price of their products below the highest limit allowed by such duty. But it is notorious that this competition is too often strangled by combinations quite prevalent at this time, and frequently called trusts, which have for their object the regulation of the supply and price of commodities made and sold by members of the combination. The people can hardly hope for any consideration in the operation of these selfish schemes.

If, however, in the absence of such combination, a healthy and free competition reduces the price of any particular dutiable article of home production below the limit which it might otherwise reach under our tariff laws, and if with such reduced price its manufacture continues to thrive, it is entirely evident that one thing has been discovered which should be carefully scrutinized in an effort to reduce taxation.

The necessity of combination to maintain the price of any commodity to the tariff point furnishes proof that someone is willing to accept lower prices for such commodity and that such prices are remunerative; and lower prices produced by competition prove the same thing. Thus where either of these conditions exists a case would seem to be presented for an easy reduction of taxation.

The considerations which have been presented touching our tariff laws are intended only to enforce an earnest recommendation that the surplus revenues of the Government be prevented by the reduction of our customs duties, and at the same time to emphasize a suggestion that in accomplishing this purpose we may

discharge a double duty to our people by granting to them a measure of relief from tariff taxation in quarters where it is most needed and from sources where it can be most fairly and justly accorded.

Nor can the presentation made of such considerations be with any degree of fairness regarded as evidence of unfriendliness toward our manufacturing interests or of any lack of appreciation of their value and importance. These interests constitute a leading and most substantial element of our national greatness and furnish the proud proof of our country's progress. But if in the emergency that presses upon us our manufacturers are asked to surrender something for the public good and to avert disaster, their patriotism, as well as a grateful recognition of advantages already afforded, should lead them to willing cooperation. No demand is made that they shall forego all the benefits of governmental regard; but they can not fail to be admonished of their duty, as well as their enlightened self-interest and safety, when they are reminded of the fact that financial panic and collapse, to which the present condition tends, afford no greater shelter or protection to our manufactures than to other important enterprises. Opportunity for safe, careful, and deliberate reform is now offered; and none of us should be unmindful of a time when an abused and irritated people, heedless of those who have resisted timely and reasonable relief, may insist upon a radical and sweeping rectification of their wrongs.

The difficulty attending a wise and fair revision of our tariff laws is not underestimated. It will require on the part of the Congress great labor and care, and especially a broad and national contemplation of the subject and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country.

Under our present laws more than 4,000 articles are

subject to duty. Many of these do not in any way compete with our own manufactures, and many are hardly worth attention as subjects of revenue. A considerable reduction can be made in the aggregate by adding them to the free list. The taxation of luxuries presents no features of hardship; but the necessaries of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened.

The radical reduction of the duties imposed upon raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessaries. It would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened that part of the tariff now laid upon such product, as a compensation to our manufacturers for the present price of raw material could be accordingly modified. Such reduction or free importation would serve besides to largely reduce the revenue. It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption, saving them from the depression, interruption in business, and loss caused by a glutted domestic market and affording their employees more certain and steady labor, with its resulting quiet and contentment.

The question thus imperatively presented for solution should be approached in a spirit higher than partisanship and considered in the light of that regard for patriotic duty which should characterize the action of those intrusted with the weal of a confiding people. But the obligation to declared party policy and principle is not

wanting to urge prompt and effective action. Both of the great political parties now represented in the Government have by repeated and authoritative declarations condemned the condition of our laws which permit the collection from the people of unnecessary revenue, and have in the most solemn manner promised its correction; and neither as citizens nor partisans are our countrymen in a mood to condone the deliberate violation of these pledges.

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a *condition* which confronts us, not a theory. Relief from this condition may involve a slight reduction of the advantages which we award our home productions, but the entire withdrawal of such advantages should not be contemplated. The question of free trade is absolutely irrelevant, and the persistent claim made in certain quarters that all the efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free traders is mischievous and far removed from any consideration for the public good.

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people by cheapening their means of subsistence and increasing the measure of their comforts.

The Constitution provides that the President "shall from time to time give to the Congress information of the state of the Union." It has been the custom of the Executive, in compliance with this provision, to annually

exhibit to the Congress, at the opening of its session, the general condition of the country, and to detail with some particularity the operations of the different Executive Departments. It would be especially agreeable to follow this course at the present time and to call attention to the valuable accomplishments of these Departments during the last fiscal year; but I am so much impressed with the paramount importance of the subject to which this communication has thus far been devoted that I shall forego the addition of any other topic, and only urge upon your immediate consideration the "state of the Union" as shown in the present condition of our Treasury and our general fiscal situation, upon which every element of our safety and prosperity depends.

The reports of the heads of Departments, which will be submitted, contain full and explicit information touching the transaction of the business intrusted to them and such recommendations relating to legislation in the public interest as they deem advisable. I ask for these reports and recommendations the deliberate examination and action of the legislative branch of the Government.

There are other subjects not embraced in the departmental reports demanding legislative consideration, and which I should be glad to submit. Some of them, however, have been earnestly presented in previous messages, and as to them I beg leave to repeat prior recommendations.

As the law makes no provision for any report from the Department of State, a brief history of the transactions of that important Department, together with other matters which it may hereafter be deemed essential to commend to the attention of the Congress, may furnish the occasion for a future communication.

Chinese Exclusion Act, 1888

On May 6, 1882, an Act of Congress was approved, entitled "An Act to Execute Certain Treaty Stipulations Relating to the Chinese." On March 1, 1888, the Senate passed a resolution asking the President to negotiate a treaty with China, providing that no Chinese laborer should enter the United States. Such a treaty was negotiated. The Senate amended it by adding a provision that Chinese laborers formerly in this country but then absent should be excluded, whether holding certificates to that effect or not. The Chinese Government refused to ratify it, but President Cleveland signed the measure on October 1, 1888. Text of the Act from "Senate Documents," Sixty-first Congress, Third Session, 1910–11, Vol. XXI., Immigration Legislation, Serial No. 5879, p. 138. Text of President Cleveland's Message on the Act from "Messages and Papers of the Presidents, 1789–1897," edited by J. D. Richardson. Washington: Government Printing Office, 1898, Vol. VIII., pp. 630–635. (See page 72.)

Supplementary Exclusion Act, October 1, 1888

Be it enacted, etc., That from and after the passage of this Act, it shall be unlawful for any Chinese laborer who shall at any time heretofore have been or may now or hereafter be a resident within the United States, and who shall have departed or shall depart therefrom, and

THE CHINESE EMBASSY

(From a picture published in *Harper's Weekly*, June 13, 1868, after a photograph by Brady. In 1868 Anson Burlingame, former Minister of the United States to China, arrived in San Francisco at the head of a Chinese Embassy and a treaty was ratified at Washington, July 28, 1868, concerning "trade, consuls, religious toleration, and emigration")

shall not have returned before the passage of this Act, to return to or remain in the United States.

SEC. 2. That no certificates of identity provided for in the fourth or fifth sections of the Act to which this is a supplement shall hereafter be issued; and every certificate heretofore issued in pursuance thereof is hereby declared void and of no effect; and the Chinese laborer claiming admission by virtue thereof shall not be permitted to enter the United States.

SEC. 3. That all the duties prescribed, liabilities, penalties, and forfeitures imposed, and the powers conferred, by the second, tenth, eleventh, and twelfth sections of the Act to which this is a supplement are hereby extended and made applicable to the provisions of this Act.

SEC. 4. That all such part or parts of the Act to which this is a supplement as are inconsistent herewith are hereby repealed.

PRESIDENT CLEVELAND'S MESSAGE ON THE SUPPLEMENTARY ACT

I have this day approved House Bill No. 11,336, supplementary to an Act entitled "An Act to Execute Certain Treaty Stipulations Relating to the Chinese," approved the 6th day of May, 1882.

It seems to me that some suggestions and recommendations may properly accompany my approval of this bill.

Its object is to more effectually accomplish by legislation the exclusion from this country of Chinese laborers.

The experiment of blending the social habits and mutual race idiosyncrasies of the Chinese laboring-classes with those of the great body of the people of the United States has been proved by the experience of twenty years, and ever since the Burlingame treaty of 1868, to be in every sense unwise, impolitic, and injurious

to both nations. With the lapse of time the necessity for its abandonment has grown in force, until those having in charge the government of the respective countries have resolved to modify and sufficiently abrogate all those features of prior conventional arrangements which permitted the coming of Chinese laborers to the United States.

JAMES B. ANGELL

(From *Harper's Weekly*, July 31, 1880. Mr. Angell was appointed, in 1880 by President Hayes, as Envoy Extraordinary and Minister Plenipotentiary to China. With John F. Swift and William H. Trescott, the other two members of the commission whose portraits are given on another page, he was despatched to China by President Hayes, and at Pekin, November 17, 1880, the three commissioners secured from the Chinese Government a modification of the Burlingame Treaty of 1868, which permitted the United States to "regulate, limit, or suspend," but not absolutely prohibit, the coming of Chinese laborers, whenever their coming or their residence affected the interests of the United States or endangered the good order of any section of the country)

In modification of prior conventions, the treaty of November 17, 1880, was concluded, whereby, in the first article thereof, it was agreed that the United States should at will regulate, limit, or suspend the coming of Chinese laborers to the United States, but not absolutely prohibit it; and under this article an Act of Congress, approved May 6, 1882 (see volume 22, page 58, Statutes at Large), and amended July 5, 1884 (volume 23, page 115, Statutes at Large), suspended for ten years the coming of Chinese laborers to the United States, and regulated the going and coming of such Chinese laborers as were at that time in the United States.

It was, however, soon made evident that the mer-

cenary greed of the parties who were trading in the labor of this class of the Chinese population was proving too strong for the just execution of the law, and that the virtual defeat of the object and intent of both law and treaty was being fraudulently accomplished by false pretense and perjury, contrary to the expressed will of both governments.

To such an extent has the successful violation of the treaty and the laws enacted for its execution progressed, that the courts in the Pacific States have been for some time past overwhelmed by the examination of cases of Chinese laborers who are charged with having entered our ports under fraudulent certificates of return or seek to establish by perjury the claim of prior residence.

Such demonstration of the inoperative and inefficient condition of the treaty and law has produced deep-seated and increasing discontent among the people of the United States, and especially with those resident on the Pacific Coast. This has induced me to omit no effort to find an effectual remedy for the evils complained of and to answer the earnest popular demand for the absolute exclusion of Chinese laborers having objects and purposes unlike our own and wholly disconnected with American citizenship.

Aided by the presence in this country of able and intelligent diplomatic and consular officers of the Chinese Government and the representations made from time to time by our Minister in China under the instructions of the Department of State, the actual condition of public sentiment and the status of affairs in the United States has been fully made known to the Government of China.

The necessity for remedy has been fully appreciated by that Government, and in August, 1886, our Minister at Pekin received from the Chinese Foreign Office a communication announcing that China, of her own accord, proposed to establish a system of strict and abso-

lute prohibition of her laborers, under heavy penalties, from coming to the United States, and likewise to prohibit the return to the United States of any Chinese laborer who had at any time gone back to China "in order" (in the words of the communication) "that the Chinese laborers may gradually be reduced in number and causes of danger averted and lives preserved."

JOHN F. SWIFT

(From *Harper's Weekly*, July 31, 1880. Member of the Chinese Commission appointed in 1880 by President Hayes to negotiate a new treaty with China)

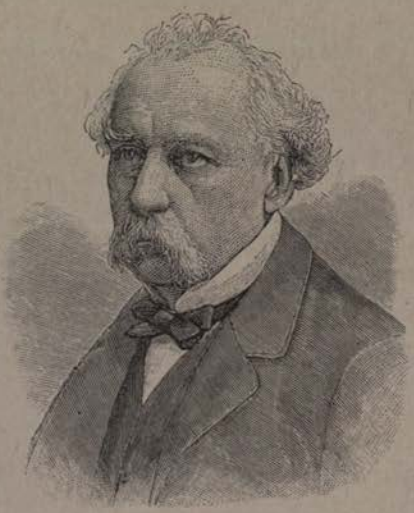
This view of the Chinese Government, so completely in harmony with that of the United States, was by my direction speedily formulated in a treaty draught between the two nations, embodying the propositions so presented by the Chinese Foreign Office.

The deliberations, frequent oral discussions, and correspondence on the general questions that ensued, have been fully communicated by me to the Senate at the present session, and, as contained in Senate Executive Document 0, parts 1 and 2, and in Senate Executive Document No. 272, may be properly referred to as containing a complete history of the transaction.

It is thus easy to learn how the joint desires and unequivocal mutual understanding of the two governments were brought into articulated form in the treaty,

which, after a mutual exhibition of plenary powers from the respective governments, was signed and concluded by the plenipotentiaries of the United States and China at this capital on March 12 last.

Being submitted for the advice and consent of the Senate, its confirmation, on the 7th day of May last, was accompanied by two amendments, which that body ingrafted upon it.



WILLIAM H. TRESCOTT

(From *Harper's Weekly*, July 31, 1880. Member of the Chinese Commission appointed in 1880 by President Hayes to negotiate a new treaty with China)

On the 12th day of the same month the Chinese Minister, who was the plenipotentiary of his Government in the negotiation and the conclusion of the treaty, in a note to the Secretary of State, gave his approval to these amendments, "as they did not alter the terms of the treaty," and the amendments were at once telegraphed to China, whither the original treaty had previously been sent immediately after its signature on March 12.

On the 13th day of last month I approved Senate Bill No. 3304 "to prohibit the coming of Chinese laborers to the United States." This bill was intended to supplement the treaty, and was approved in the confident anticipation of an early exchange of ratifications of the treaty and its amendments and the proclamations of the same, upon which event the legislation so approved was by its terms to take effect.

No information of any definite action upon the treaty by the Chinese Government was received until the 21st ultimo—the day the bill which I have just approved was presented to me—when a telegram from our Minister at Pekin to the Secretary of State announced the refusal of the Chinese Government to exchange ratifications of the treaty unless further discussion should be had with a view to shorten the periods stipulated in the treaty for the exclusion of Chinese laborers, and to change the conditions agreed on, which should entitle any Chinese laborer who might go back to China to return again to the United States.

By a note from the *chargé-d'affaires ad interim* of China to the Secretary of State, received on the evening of the 25th ultimo (a copy of which is herewith transmitted, together with the reply thereto), a third amendment is proposed, whereby the certificate, under which any departing Chinese laborer alleging the possession of property in the United States would be enabled to return to this country, should be granted by the Chinese consul instead of the United States collector, as had been provided in the treaty.

The obvious and necessary effect of this last proposition would be practically to place the execution of the treaty beyond the control of the United States.

Article I of the treaty proposed to be so materially altered, had, in the course of the negotiations, been settled in acquiescence with the request of the Chinese plenipotentiary, and to his expressed satisfaction.

In 1886, as appears in the documents heretofore referred to, the Chinese Foreign Office had formally proposed to our Minister strict exclusion of Chinese laborers from the United States without limitation; and had otherwise and more definitely stated that no term whatever for exclusion was necessary, for the reason that China would of itself take steps to prevent its laborers from coming to the United States.

In the course of negotiations that followed, suggestions from the same quarter led to the insertion in behalf of the United States of a term of "thirty years," and this term, upon the representations of the Chinese plenipo-

THE CHINESE PUZZLED

"Is it because we don't do deeds like that that we '*must go*' *and they stay?*"

(From a cartoon by Thomas Nast, published in *Harper's Weekly*, May 15, 1886)

tentiary, was reduced to "twenty years," and finally so agreed upon.

Article II was wholly of Chinese origination, and to that alone owes its presence in the treaty.

And it is here pertinent to remark that everywhere

in the United States laws for the collection of debts are equally available to all creditors without respect to race, sex, nationality, or place of residence, and equally with the citizens or subjects of the most favored nations, and with the citizens of the United States recovery can be had in any court of justice in the United States by a subject of China, whether of the laboring or any other class.

No disability accrues from non-residence of a plaintiff, whose claim can be enforced in the usual way by him or his assignee or attorney in our courts of justice.

In this respect it can not be alleged that there exists the slightest discrimination against Chinese subjects, and it is a notable fact that large trading-firms and companies and individual merchants and traders of that nation are profitably established at numerous points throughout the Union, in whose hands every claim transmitted by an absent Chinaman of a just and lawful nature could be completely enforced.

The admitted and paramount right and duty of every government to exclude from its borders all elements of foreign population which for any reason retard its prosperity or are detrimental to the moral and physical health of its people, must be regarded as a recognized canon of international law and intercourse. China herself has not dissented from this doctrine, but has, by the expressions to which I have referred, led us confidently to rely upon such action on her part in co-operation with us as would enforce the exclusion of Chinese laborers from our country.

This co-operation has not, however, been accorded us. Thus from the unexpected and disappointing refusal of the Chinese Government to confirm the acts of its authorized agent and to carry into effect an international agreement, the main feature of which was voluntarily presented by that Government for our acceptance, and which had been the subject of long and

careful deliberation, an emergency has arisen in which the Government of the United States is called upon to act in self-defense by the exercise of its legislative power. I can not but regard the expressed demand on the part of China for a re-examination and renewed discussion of the topics so completely covered by mutual treaty stipulations as an indefinite postponement and practical abandonment of the objects we have in view, to which the Government of China may justly be considered as pledged.

HARD TO PLEASE THE "WHITE TRASH

U. S.—"I hate the 'nigger' because he is a citizen, and I hate the 'yellow dog' because he will not become one."

(From a cartoon by Thomas Nast, published in *Harper's Weekly*)

The facts and circumstances which I have narrated lead me, in the performance of what seems to me to be my official duty, to join the Congress in dealing legislatively with the question of the exclusion of Chinese laborers, in lieu of further attempts to adjust it by international agreement.

But while thus exercising our undoubted right in the interests of our people and for the general welfare of our country, justice and fairness seem to require that some provision should be made by act or joint resolution, under which such Chinese laborers as shall actually have embarked on their return to the United States before the passage of the law this day approved, and are now on their way, may be permitted to land provided they have duly and lawfully obtained and shall present

certificates heretofore issued permitting them to return in accordance with the provisions of existing law.

Nor should our recourse to legislative measures of exclusion cause us to retire from the offer we have made to indemnify such Chinese subjects as have suffered damage through violence in the remote and comparatively unsettled portions of our country at the hands of lawless men. Therefore I recommend that, without acknowledging legal liability therefor, but because it was stipulated in the treaty which has failed to take effect, and in a spirit of humanity befitting our nation, there be appropriated the sum of $276,619.75, payable to the Chinese Minister at this capital on behalf of his Government as full indemnity for all losses and injuries sustained by Chinese subjects in the manner and under the circumstances mentioned.

Sherman Anti-Trust Act, 1890

The genesis of this now familiar Act was a bill introduced by Senator Sherman on December 4, 1889, "to declare unlawful trusts and combinations in restraint of trade and production." The measure was considered by the Committees on Finance and Judiciary in the Senate and by a conference committee of each House, and finally took the form as approved on July 2, 1890. From text in "United States Statutes at Large," Vol. XXVI., pp. 209–210. (See page 146.)

Sec. 1. Every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding $5,000 or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

Sec. 2. Every person who shall monopolize or attempt to monopolize or combine or conspire with any person or persons to monopolize any part of the trade or commerce among the several States or with foreign nations shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding $5,000 or by imprisonment not exceeding one

THE UNITED STATES SENATE IN SESSION

(From a drawing by George W. Breck, published in *Harper's Weekly*, September 22, 1894)

year, or by both said punishments, in the discretion of the court.

SEC. 3. Every contract, combination in form of trust or otherwise, or conspiracy in restraint of trade or commerce in any Territory of the United States or of the District of Columbia, or in restraint of trade or commerce between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia or with foreign nations, or between the District of Columbia and any State or States or foreign nations, is hereby declared illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $5,000 or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 4. The several Circuit Courts of the United States are hereby invested with jurisdiction to prevent or restrain violations of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the attorney-general, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petition setting forth the case and praying that such violation shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree the court may at any time make such temporary restraining order or prohibition as shall be deemed just.

SEC. 5. Whenever it shall appear to the court before which any proceeding under section 4 of this Act may be pending that the ends of justice require that other parties should be brought before the court, the court

may cause them to be summoned, whether they reside in the district in which the court is held or not; and subpœnas to that end may be served in any district by the marshal thereof.

SEC. 6. Any property owned under any contract or by any combination or pursuant to any conspiracy (and being the subject thereof) mentioned in section 1 of this Act and being in the course of transportation from one State to another or to a foreign country shall be forfeited to the United States and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

SEC. 7. Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared unlawful by this Act may sue therefor in any Circuit Court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained and the cost of suit, including a reasonable attorney's fee.

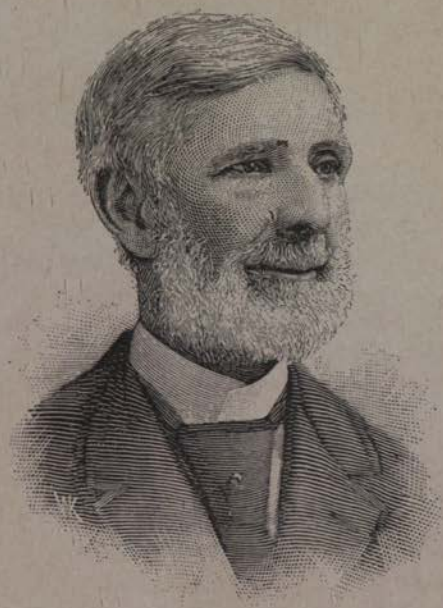
SEC. 8. That the word "person" or "persons" wherever used in this Act be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country.

Treaty for the Annexation of Hawaii, 1893

This treaty, concluded on February 14, 1893, was submitted to the Senate with a special explanatory message by President Harrison, but as the close of his administration was at hand, the subject was left for a new Congress and President. The first important act of President Cleveland after his inauguration was the withdrawal of this treaty from the Senate and the despatch of a commissioner (Blount) to investigate the annexation movement. See also "Annexation of Hawaii, 1898." Text from "House Executive Document I.," Part 1, Affairs in Hawaii. Fifty-third Congress, Third Session. Washington: Government Printing Office, 1895, pp. 202–205. (See page 128.)

The United States of America and the provisional government of the Hawaiian Islands: In view of the natural dependence of these islands upon the United States, of their geographical proximity thereto, of the intimate part taken by citizens of the United States in there implanting the seeds of Christian civilization, of the long continuance of their exclusive reciprocal commercial relations whereby their mutual interests have been developed, and of the preponderant and paramount share thus acquired by the United States and their citizens in the productions, industries, and trade of the said islands, and especially in view of the desire expressed by the said government of the Hawaiian

Islands that those islands shall be incorporated into the United States as an integral part thereof and under their sovereignty, and in order to provide for and assure the security and prosperity of the said islands, the high contracting parties have determined to accomplish by treaty an object so important to their mutual and permanent welfare.



JOHN L. STEVENS

(From *Harper's Weekly*, February 25, 1893. United States Minister to the Hawaiian Islands, appointed by President Harrison in 1889. In 1893 Queen Liliuokalani, who attempted to proclaim a new constitution in the direction of absolute power, was opposed by her ministers, who organized a provisional government and deposed her. Sanford B. Dole was at the head of the provisional government, and it is a disputed question whether the revolution was accomplished independently of the aid and encouragement offered by Minister Stevens, who, acting without instructions, had proclaimed a protectorate of the United States over the islands)

To this end, the high contracting parties have conferred full power and authority upon their respectively appointed plenipotentiaries—to wit: The President of the United States of America, John W. Foster, Secretary of State of the United States; and the President of the Executive and Advisory Councils of the provisional government of the Hawaiian Islands, Lorin A. Thurston, William R. Castle, William C. Wilder, Charles L. Carter, and Joseph Marsden.

And the said plenipotentiaries, after having communicated to each other their respective full powers,

found in good and true form, have agreed upon and concluded the following articles:

Article 1. The government of the Hawaiian Islands hereby cedes, from the date of the exchange of the ratification of this treaty, absolutely and without reserve, to the United States forever, all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, renouncing in favor of the United States every sovereign right of which, as an independent nation, it is now possessed, and henceforth said Hawaiian Islands, and every island and key thereto appertaining, and each and every portion thereof, shall become and be an integral part of the territory of the United States.

Art. 2. The government of the Hawaiian Islands also cedes and transfers to the United States the absolute fee and ownership of all public, government, or crown lands, public buildings or edifices, ports, harbors, fortifications, military or naval equipments, and all other public property of every kind and description belonging to the government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining. The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition:

Provided, That all revenues or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned to the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Art. 3. Until Congress shall otherwise provide, the existing government and laws of the Hawaiian Islands are hereby continued, subject to the paramount authority of the United States. The President, by and with the

LORIN A. THURSTON
(Chairman of the Hawaiian Commission)

WILLIAM C. WILDER

CHARLES L. CARTER

(From *Harper's Weekly*, February 18, 1893, after photographs by Bell. Members of the Hawaiian Commission appointed in 1893 to present to the United States Government the project for the annexation of the Sandwich Islands)

advice and consent of the Senate, shall appoint a commissioner to reside in the said islands, who shall have the power to veto any act of said government, and an act disapproved by him shall thereupon be void and of no effect unless approved by the President.

Congress shall within one year from the exchange of the ratifications of this treaty enact the necessary legislation to extend to the Hawaiian Islands the laws of the United States respecting duties upon imports, the internal revenue, commerce, and navigation; but until Congress shall otherwise provide, the existing commercial relations of the Hawaiian Islands, both with the United States and foreign countries, shall continue as regards the commerce of said islands with the rest of the United States and foreign countries. But this shall not be construed as giving the said islands the power to enter into any new stipulation or agreement whatsoever, or to have diplomatic intercourse with any foreign government. The consular representatives of foreign powers now resident in the Hawaiian Islands shall be permitted to continue in the exercise of their consular functions until they can receive their exequaturs from the government of the United States.

Art. 4. The further immigration of Chinese laborers into the Hawaiian Islands is hereby prohibited until Congress shall otherwise provide. Furthermore, Chinese persons of the classes now or hereafter excluded by law from entering the United States will not be permitted to come from the Hawaiian Islands to other parts of the United States, and, if so coming, shall be subject to the same penalties as if entering from a foreign country.

Art. 5. The public debt of the Hawaiian Islands lawfully existing at the date of the exchange of the ratifications of this treaty, including the amounts due to depositors in the Hawaiian postal savings-banks, is hereby assumed by the government of the United States, but the liabilities of the United States in this regard

shall in no case exceed $3,250,000. So long, however, as the existing government and the present commercial relations of the Hawaiian Islands are continued as herein-

JAMES H. BLOUNT, COMMISSIONER TO THE HAWAIIAN ISLANDS

(From *Harper's Weekly*, March 27, 1893, after a photograph by Bell. Appointed in March, 1893, by President Cleveland to report on the conditions which led to the overthrow of the kingdom of Hawaii and the establishment of an American protectorate over the islands. The first result of his investigations was an order to remove the American flag from the Government House and for the withdrawal of American marines from Honolulu. These actions created much excitement in the United States, and led to the resignation of Minister Stevens and the appointment of Mr. Blount to succeed him, and to a renewed agitation for the annexation of Hawaii both in Washington and in Honolulu)

before provided, said government shall continue to pay the interest on said debt.

Art. 6. The government of the United States agrees to pay Liliuokalani, the late queen, within one year from the date of the exchange of ratifications of this

treaty the sum of $20,000, and annually thereafter a like sum of $20,000 during the term of her natural life, provided she in good faith submits to the authority of the government of the United States and the local government of the islands.

And the government of the United States further agrees to pay to the Princess Kaiaulani within one year from the date of the exchange of the ratifications of this treaty the gross sum of $150,000, provided she in good faith submits to the authority of the government of the islands.

Art. 7. The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate, on the one part, and by the provisional government of the Hawaiian Islands on the other, and the ratifications thereof shall be exchanged at Honolulu as soon as possible. Such exchange shall be made on the part of the United States by the commissioner hereinbefore provided for, and it shall operate as a complete and final conveyance to the United States of all the rights of sovereignty and property herein ceded to them. Within one month after such exchange of ratifications the provisional government shall furnish said commissioner with a full and complete schedule of all the public property herein ceded and transferred.

Cleveland's Venezuela Message, 1895

On December 17, 1895, President Cleveland sent the subjoined message to Congress concerning the dispute between Great Britain and Venezuela on the boundary question and its relation to the Monroe Doctrine. This was after Great Britain had rejected an offer of the United States to arbitrate the dispute. Subsequently, both Great Britain and Venezuela agreed to arbitration. Text from "Messages and Papers of the Presidents, 1789–1897," edited by J. D. Richardson. Washington: Government Printing Office, 1898, Vol. IX., pp. 655–658. (See page 132.)

In my annual message addressed to the Congress on the 3d instant I called attention to the pending boundary controversy between Great Britain and the Republic of Venezuela and recited the substance of a representation made by this Government to Her Britannic Majesty's Government suggesting reasons why such dispute should be submitted to arbitration for settlement and inquiring whether it would be so submitted.

The answer of the British Government, which was then awaited, has since been received, and, together with the dispatch to which it is a reply, is hereto appended.

Such reply is embodied in two communications addressed by the British prime minister to Sir Julian Pauncefote, the British ambassador at this capital. It will be seen that one of these communications is devoted exclusively to observations upon the Monroe Doctrine,

and claims that in the present instance a new and strange extension and development of this doctrine is insisted on by the United States; that the reasons justifying an appeal to the doctrine enunciated by Presi-

PRESIDENT CRESPO OF VENEZUELA
(From *Harper's Weekly*, Vol. XL.)

dent Monroe are generally inapplicable "to the state of things in which we live at the present day," and especially inapplicable to a controversy involving the boundary line between Great Britain and Venezuela.

Without attempting extended argument in reply to these positions, it may not be amiss to suggest that the doctrine upon which we stand is strong and sound,

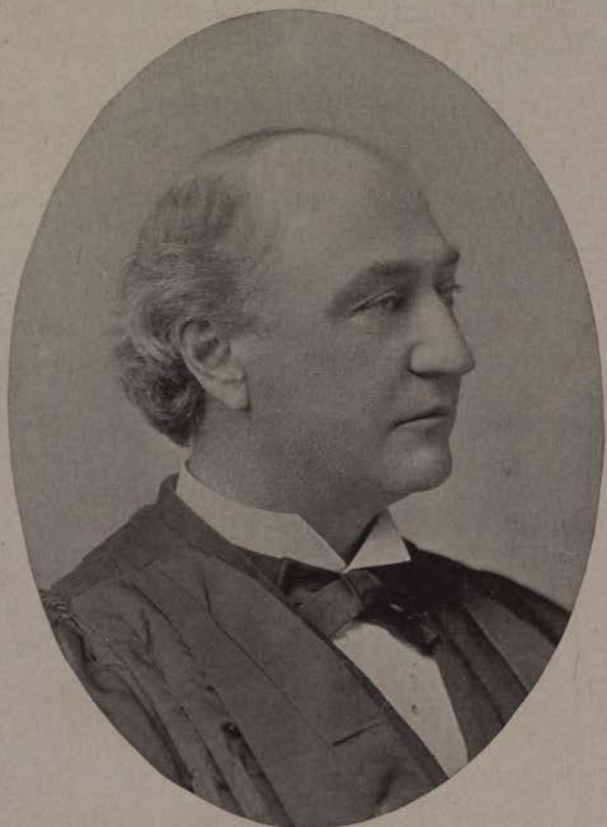
because its enforcement is important to our peace and safety as a nation and is essential to the integrity of our free institutions and the tranquil maintenance of our distinctive form of government. It was intended to apply to every stage of our national life and can not become obsolete while our Republic endures. If the balance of power is justly a cause for jealous anxiety among the Governments of the Old World and a subject for our absolute non-interference, none the less is an observance of the Monroe Doctrine of vital concern to our people and their Government.

Assuming, therefore, that we may properly insist upon this doctrine without regard to "the state of things in which we live" or any changed conditions here or elsewhere, it is not apparent why its application may not be invoked in the present controversy.

If a European power by an extension of its boundaries takes possession of the territory of one of our neighboring Republics against its will and in derogation of its rights, it is difficult to see why to that extent such European power does not thereby attempt to extend its system of government to that portion of this continent which is thus taken. This is the precise action which President Monroe declared to be "dangerous to our peace and safety," and it can make no difference whether the European system is extended by an advance of frontier or otherwise.

It is also suggested in the British reply that we should not seek to apply the Monroe Doctrine to the pending dispute because it does not embody any principle of international law which "is founded on the general consent of nations," and that "no statesman, however eminent, and no nation, however powerful, are competent to insert into the code of international law a novel principle which was never recognized before and which has not since been accepted by the government of any other country."

Practically the principle for which we contend has peculiar, if not exclusive, relation to the United States. It may not have been admitted in so many words to the



JUSTICE DAVID J. BREWER

(From *Harper's Weekly*, January 11, 1896. Chairman of the commission appointed in 1895 to visit Venezuela and submit a report on the claims of Great Britain and Venezuela to the territory in dispute. Upon the report of the commission both Great Britain and Venezuela agreed to submit the dispute to arbitration)

code of international law, but since in international councils every nation is entitled to the rights belonging to it, if the enforcement of the Monroe Doctrine is some-

thing we may justly claim, it has its place in the code of international law as certainly and as securely as if it were specifically mentioned; and when the United States is a suitor before the high tribunal that administers international law the question to be determined is whether or not we present claims which the justice of that code of law can find to be right and valid.

The Monroe Doctrine finds its recognition in those principles of international law which are based upon the theory that every nation shall have its rights protected and its just claims enforced.

Of course this Government is entirely confident that under the sanction of this doctrine we have clear rights and undoubted claims. Nor is this ignored in the British reply. The prime minister, while not admitting that the Monroe Doctrine is applicable to present conditions, states:

> In declaring that the United States would resist any such enterprise if it was contemplated, President Monroe adopted a policy which received the entire sympathy of the English Government of that date.

He further declares:

> Though the language of President Monroe is directed to the attainment of objects which most Englishmen would agree to be salutary, it is impossible to admit that they have been inscribed by any adequate authority in the code of international law.

Again he says:

> They (Her Majesty's Government) fully concur with the view which President Monroe apparently entertained, that any disturbance of the existing territorial distribution in that hemisphere by any fresh acquisitions on the part of any European State would be a highly inexpedient change.

In the belief that the doctrine for which we contend was clear and definite, that it was founded upon substantial considerations and involved our safety and welfare, that it was fully applicable to our present con-

ANDREW D. WHITE

DANIEL C. GILMAN

(From *Harper's Weekly*, January 11, 1896. Members of the commission appointed in 1895 by President Cleveland to report on the boundary dispute between Great Britain and Venezuela)

ditions and to the state of the world's progress, and that it was directly related to the pending controversy, and without any conviction as to the final merits of the dispute, but anxious to learn in a satisfactory and conclusive manner whether Great Britain sought under a claim of boundary to extend her possessions on this continent without right, or whether she merely sought possession of territory fairly included within her lines of ownership, this Government proposed to the Government of Great Britain a resort to arbitration as the proper means of settling the question, to the end that a vexatious boundary dispute between the two contestants might be determined and our exact standing and relation in respect to the controversy might be made clear.

It will be seen from the correspondence herewith submitted that this proposition has been declined by the British Government upon grounds which in the circumstances seem to me to be far from satisfactory. It is deeply disappointing that such an appeal, actuated by the most friendly feelings toward both nations directly concerned, addressed to the sense of justice and to the magnanimity of one of the great powers of the world, and touching its relations to one comparatively weak and small, should have produced no better results.

The course to be pursued by this Government in view of the present condition does not appear to admit of serious doubt. Having labored faithfully for many years to induce Great Britain to submit this dispute to impartial arbitration, and having been now finally apprised of her refusal to do so, nothing remains but to accept the situation, to recognize its plain requirements, and deal with it accordingly. Great Britain's present proposition has never thus far been regarded as admissible by Venezuela, though any adjustment of the boundary which that country may deem for her advantage and may enter into of her own free will can not of course be objected to by the United States.

RICHARD H. ALVEY

FREDERIC R. COUDERT

(From *Harper's Weekly*, January 11, 1896. Members of the commission appointed in 1895 by President Cleveland to report on the boundary dispute between Great Britain and Venezuela)

Assuming, however, that the attitude of Venezuela will remain unchanged, the dispute has reached such a stage as to make it now incumbent upon the United States to take measures to determine with sufficient certainty for its justification what is the true divisional line between the Republic of Venezuela and British Guiana. The inquiry to that end should of course be conducted carefully and judicially, and due weight should be given to all available evidence, records, and facts in support of the claims of both parties.

In order that such an examination should be prosecuted in a thorough and satisfactory manner, I suggest that the Congress make an adequate appropriation for the expenses of a commission, to be appointed by the Executive, who shall make the necessary investigation and report upon the matter with the least possible delay. When such report is made and accepted it will, in my opinion, be the duty of the United States to resist by every means in its power, as a willful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of rights belongs to Venezuela.

In making these recommendations I am fully alive to the responsibilities incurred and keenly realize all the consequences that may follow.

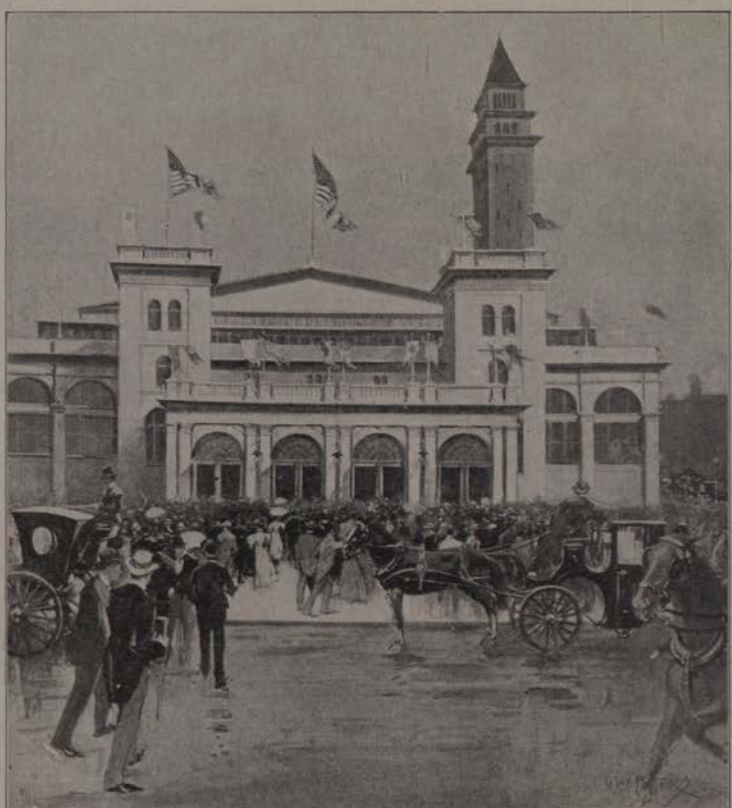
I am, nevertheless, firm in my conviction that while it is a grievous thing to contemplate the two great English-speaking peoples of the world as being otherwise than friendly competitors in the onward march to civilization and strenuous and worthy rivals in all the arts of peace, there is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice and the consequent loss of national self-support and honor, beneath which are shielded and defended a people's safety and greatness.

Mr. Bryan's "Cross of Gold" Speech, 1896

The revival of the free-silver agitation in the last decade of the century produced political upheavals, the most notable being caused by Mr. Bryan. The following is the full text of the speech delivered by Mr. Bryan at the National Democratic Convention in Chicago in 1896, the peroration of which has been frequently quoted incorrectly. Text from "Democratic Campaign Book," Presidential election of 1896. Washington: Hartman & Cadick, 1896, pp. 7–13. (See page 144.)

Mr. Chairman and Gentlemen of the Convention,—I would be presumptuous, indeed, to present myself against the distinguished gentlemen to whom you have listened, if this were a mere measuring of abilities; but this is not a contest between persons. The humblest citizen in all the land, when clad in the armor of a righteous cause, is stronger than all the hosts of error. I come to speak to you in defence of a cause as holy as the cause of liberty—the cause of humanity.

When this debate is concluded, a motion will be made to lay upon the table the resolution offered in commendation of the administration, and also the resolution offered in condemnation of the administration. We object to bringing this question down to the level of persons. The individual is but an atom; he is born, he acts, he dies; but principles are eternal; and this has been a contest over a principle.

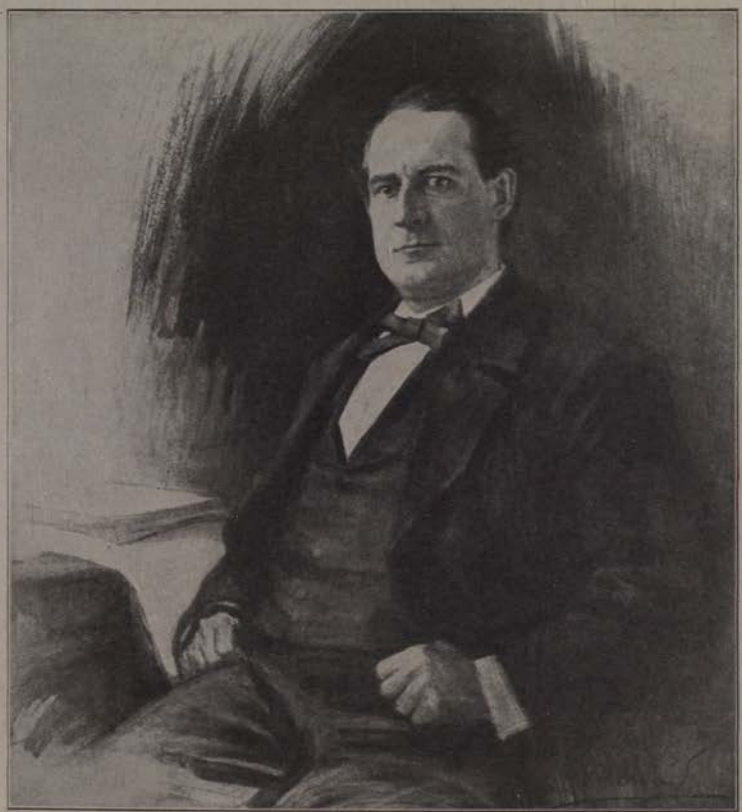


THE COLISEUM, CHICAGO, WHERE THE NATIONAL DEMOCRATIC CONVENTION WAS HELD IN 1896, WHICH NOMINATED WILLIAM J. BRYAN FOR THE PRESIDENCY

(From a drawing by G. W. Peters, published in *Harper's Weekly*, July 11, 1896)

Never before in the history of this country has there been witnessed such a contest as that through which we have just passed. Never before in the history of American politics has a great issue been fought out, as this issue has been, by the voters of a great party. On the 4th of March, 1895, a few Democrats, most of them members of Congress, issued an address to the Democrats of the nation, asserting that the money question was the paramount issue of the hour; declaring that a majority of the Democratic party had the right to control the action of the party on this paramount issue; and concluding with the request that the believers in the free coinage of silver in the Democratic party should organize, take charge of, and control the policy of the Democratic party. Three days later, at Memphis, an organization was perfected, and the Silver Democrats went forth openly and courageously, proclaiming their belief, and declaring that, if successful, they would crystallize into a platform the declaration which they had made. Then began the conflict. With a zeal approaching the zeal which inspired the crusaders who followed Peter the Hermit, our Silver Democrats went forth from victory unto victory until they are now assembled, not to discuss, not to debate, but to enter up the judgment already rendered by the plain people of this country. In this contest brother has been arrayed against brother, father against son. The warmest ties of love, acquaintance, and associations have been disregarded; old leaders have been cast aside when they have refused to give expression to the sentiments of those whom they would lead, and new leaders have sprung up to give direction to this cause of truth. Thus has the contest been waged, and we have assembled here under as binding and solemn instructions as were ever imposed upon representatives of the people.

We do not come as individuals. As individuals we might have been glad to compliment the gentleman from



WILLIAM JENNINGS BRYAN

(From a drawing by T. V. Chominski, published in *Harper's Weekly*, July 7, 1900)

New York (Senator Hill), but we know that the people for whom we speak would never be willing to put him in a position where he could thwart the will of the Democratic party. I say it was not a question of persons; it was a question of principles, and it is not with gladness, my friends, that we find ourselves brought into conflict with those who are now arrayed on the other side.

The gentleman who preceded me (ex-Governor Russell) spoke of the State of Massachusetts. Let me assure him that not one present in all this convention entertains the least hostility to the people who are the equals, before the law, of the greatest citizens in the State of Massachusetts. When you (turning to the gold delegates) come before us and tell us that we are about to disturb your business interests, we reply that you have disturbed our business interests by your course.

We say to you that you have made the definition of a business too limited in its application. The man who is employed for wages is as much a business man as his employer; the attorney in a country town is as much a business man as the corporation counsel in a great metropolis; the merchant at the cross-roads store is as much a business man as the merchant of New York; the farmer who goes forth in the morning and toils all day—who begins in the spring and toils all summer—and who by the application of brain and muscle to the natural resources of the country creates wealth, is as much a business man as the man who goes upon the board of trade and bets upon the price of grain; the miners who go down 1,000 feet into the earth, or climb 2,000 feet upon the cliffs, and bring forth from the hiding places the precious metals to be poured in the channels of trade, are as much business men as the few financial magnates who, in a back room, corner the money of the world. We come to speak for this broader class of business men.

Ah, my friends, we say not one word against those

who live upon the Atlantic coast; but the hardy pioneers who have braved all the danger of the wilderness, who have made the desert to blossom as the rose—the pioneers away out there (pointing to the West), who rear their children near to Nature's heart, where they can mingle their voices with the voices of the birds—out there where they have erected school-houses for the education of their young, churches where they praise their Creator, and cemeteries where rest the ashes of their dead—these people, we say, are as deserving of the consideration of our party as any people in this country. It is for these that we speak. We do not come as aggressors. Our war is not a war of conquest; we are fighting in the defence of our homes, our families, and posterity. We have petitioned, and our petitions have been scorned; we have entreated, and our entreaties have been disregarded; we have begged, and they have mocked when our calamity came. We beg no longer; we entreat no more; we petition no more. We defy them.

The gentleman from Wisconsin has said that he fears a Robespierre. My friends, in this land of the free you need not fear that a tyrant will spring up from among the people. What we need is an Andrew Jackson to stand, as Jackson stood, against the encroachments of organized wealth.

They tell us that this platform was made to catch votes. We reply to them that changing conditions make new issues; that the principles upon which Democracy rests are as everlasting as the hills, but that they must be applied to new conditions as they rise. Conditions have arisen, and we are here to meet those conditions. They tell us that the income tax ought not to be brought in here; that it is a new idea. They criticise us for our criticism of the Supreme Court of the United States. My friends, we have not criticised; we have simply called attention to what you already know. If you want criticisms, read the dissenting opinions of the court.

DEMOCRATIC NATIONAL CONVENTION, CHICAGO, 1896. SENATOR DAVID B. HILL SPEAKING AGAINST THE FREE SILVER HERESY

(From a drawing by T. Dart Walker, published in *Harper's Weekly*, July 18, 1896)

There you will find criticisms. They say that we passed an unconstitutional law; we deny it. The income-tax law was not unconstitutional when it passed; it was not unconstitutional when it went before the Supreme Court for the first time; it did not become unconstitutional until one of the judges changed his mind; and we cannot be expected to know when a judge will change his mind. The income tax is just. It simply intends to put the burdens of the government justly upon the backs of the people. I am in favor of an income tax. When I find a man who is not willing to bear his share of the burdens of the government which protects him, I find a man who is unworthy to enjoy the blessings of a government like ours.

They say that we are opposing national bank currency; it is true. If you will read what Thomas Benton said, you will find he said that, in searching history, he could find but one parallel to Andrew Jackson; that was Cicero, who destroyed the conspiracy of Catiline and saved Rome. Benton said that Cicero only did for Rome what Jackson did for us when he destroyed the bank conspiracy and saved America. We say in our platform that we believe that the right to coin and issue money is a function of government. We believe it. We believe that it is a part of sovereignty, and can no more with safety be delegated to private individuals than we could afford to delegate to private individuals the power to make penal statutes or levy taxes. Mr. Jefferson, who was once regarded as good Democratic authority, seems to have differed in opinion from the gentleman who has addressed us on the part of the minority. Those who are opposed to this proposition tell us that the issue of paper money is a function of the bank, and that the government ought to go out of the banking business. I stand with Jefferson rather than with them, and tell them, as he did, that the issue of money is a function of government,

WILLIAM EUSTIS RUSSELL

(From *Harper's Weekly*, July 25, 1896. Three times elected Democratic Governor of Massachusetts (1890, 1891 and 1892). Early in 1896 his nomination for the Presidency was strongly advocated in the Eastern States, but his outspoken views in favor of the gold standard made his nomination impossible. His name was considered for the Presidency on a Democratic gold-standard platform, but his sudden death shortly after the Chicago convention, in 1896, checked the movement)

and that the banks ought to go out of the governing business.

They complain about the plank which declares against life tenure in office. They have tried to strain it to mean that which it does not mean. What we oppose by that plank is the life tenure which is being built up in Washington, and which excludes from participation in official benefits the humbler members of society.

Let me call your attention to two or three important things. The gentleman from New York says that he will propose an amendment to the platform providing that the proposed change in our monetary system shall not affect contracts already made. Let me remind you that there is no intention of affecting these contracts which according to present laws are made payable in gold; but if he means to say that we cannot change our monetary system without protecting those who have loaned money before the change was made, I desire to ask him where, in law or in morals, he can find justification for not protecting the debtors when the act of 1873 was passed, if he now insists that we must protect the creditors.

He says he will also propose an amendment which will provide for the suspension of free coinage, if we fail to maintain the parity, within a year. We reply that when we advocate a policy which we believe will be successful, we are not compelled to raise a doubt as to our own sincerity by suggesting what we shall do if we fail. I ask him, if he would apply his logic to us, why he does not apply it to himself. He says he wants this country to try to secure an international agreement. Why does he not tell us what he is going to do if he fails to secure an international agreement? There is more reason for him to do that than there is for us to provide against the failure to maintain the parity. Our opponents have tried for twenty years to secure an inter-

national agreement, and those are waiting for it most patiently who do not want it at all.

And now, my friends, let me come to the paramount issue. If they ask us why it is that we say more on the

WARWICK DANIEL

(From *Harper's Weekly*, July 18, 1896. Temporary chairman of the National Democratic Convention at Chicago in 1896)

money question than we say upon the tariff question, I reply that, if protection has slain its thousands, the gold standard has slain its tens of thousands. If they ask us why we do not embody in our platform all the things that we believe in, we reply that when we have

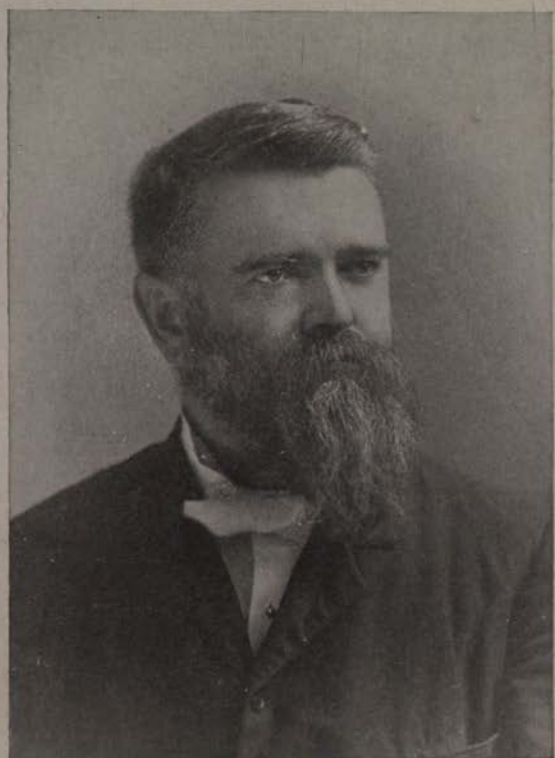
restored the money of the Constitution all other necessary reforms will be possible; but that until this is done there is no other reform that can be accomplished.

Why is it that within three months such a change has come over the country? Three months ago, when it was confidently asserted that those who believe in the gold standard would frame our platform and nominate our candidates, even the advocates of the gold standard did not think that we could elect a President. And they had good reason for their doubt, because there is scarcely a State here to-day asking for the gold standard which is not in the absolute control of the Republican party. But note the change. Mr. McKinley was nominated in St. Louis upon a platform which declared for the maintenance of the gold standard until it can be changed into bimetallism by international agreement. Mr. McKinley was the most popular man among the Republicans, and three months ago everybody in the Republican party prophesied his election. How is it to-day? Why, the man who was once pleased to think that he looked like Napoleon—that man shudders to-day when he remembers that he was nominated on the anniversary of the battle of Waterloo. Not only that, but as he listens he can hear with ever-increasing distinctness the sounds of the waves as they beat upon the lonely shores of St. Helena.

Why this change? Ah, my friends, is not the reason for the change evident to any one who will look at the matter? No private character, however pure, no personal popularity, however great, can protect from the avenging wrath of an indignant people a man who will declare that he is in favor of fastening the gold standard upon this country, or who is willing to surrender the right of self-government, and place the legislative control of our affairs in the hands of foreign potentates and powers.

We go forth confident that we shall win. Why?

Because upon the paramount issue of this campaign there is not a spot of ground upon which the enemy will dare to challenge battle. If they tell us that the gold standard is a good thing, we shall point to their



STEPHEN MALLORY WHITE

(From *Harper's Weekly*, July 18, 1896, after a photograph by Bell. Permanent chairman of the Democratic National Convention at Chicago in 1896)

platform and tell them that their platform pledges the party to get rid of the gold standard and substitute bimetallism. If the gold standard is a good thing, why try to get rid of it? I call your attention to the fact that some of the very people who are in this convention

to-day, and who tell us that we ought to declare in favor of international bimetallism—thereby declaring that the gold standard is wrong, and that the principle of bimetallism is better—these very people four months ago were open and avowed advocates of the gold standard, and were then telling us we could not legislate two metals together, even with the aid of all the world. If the gold standard is a good thing, we ought to declare in favor of its retention, and not in favor of abandoning it; and if the gold standard is a bad thing, why should we wait until other nations are willing to help us to let go? Here is the line of battle, and we care not upon which issue they force the fight; we are prepared to meet them on either issue or on both. If they tell us that the gold standard is the standard of civilization, we reply to them that this, the most enlightened of all nations of the earth, has never declared for a gold standard, and that both the great parties this year are declaring against it. If the gold standard is the standard of civilization, why, my friends, should we not have it? If they come to meet us on that issue, we can present the history of our nation. More than that; we can tell them that they will search the pages of history in vain to find a single instance where the common people of the land have ever declared themselves in favor of the gold standard. They can find where the holders of fixed investments have declared for a gold standard, but not where the masses have.

Mr. Carlisle said in 1878 that this was a struggle between "the idle holders of idle capital" and "the struggling masses, who produce the wealth and pay the taxes of the country," and, my friends, the question we are to decide is: Upon which side will the Democratic party fight; upon the side of "the idle holders of idle capital" or upon the side of "the struggling masses"? That is the question which the party must answer first, and then it must be answered by each individual here-

after. The sympathies of the Democratic party, as shown by the platform, are on the side of the struggling masses who have ever been the foundation of the Democratic party. There are two ideas of government. There are those who believe that, if you will only legislate to make the well-to-do prosperous, their prosperity will leak through on those below. The Democratic idea, however, has been that if you legislate to make the masses prosperous, their prosperity will find its way through every class which rests upon them.

You come to us and tell us that the great cities are in favor of the gold standard; we reply that the great cities rest upon our broad and fertile prairies. Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms, and the grass will grow in the streets of every city in the country.

My friends, we declare that this nation is able to legislate for its own people on every question, without waiting for the aid or consent of any other nation on earth; and upon that issue we expect to carry every State in the Union. I shall not slander the inhabitants of the fair State of Massachusetts nor the inhabitants of the State of New York by saying that, when they are confronted with the proposition, they will declare that this nation is not able to attend to its own business. It is the issue of 1776 over again. Our ancestors, when but 3,000,000 in number, had the courage to declare their political independence of every other nation; shall we, their descendants, when we have grown to 70,000,000, declare that we are less independent than our forefathers? No, my friends, that will never be the verdict of our people. Therefore, we care not upon what lines the battle is fought. If they say bimetallism is good, but that we cannot have it until other nations help us, we reply that, instead of having a gold standard because England has, we will restore bimetallism, and then let

England have bimetallism because the United States has it. If they dare to come out in the open field and defend the gold standard as a good thing, we will fight them to the uttermost. Having behind us the producing masses of this nation and the world, supported by the commercial interests, the laboring interests, and the toilers everywhere, we will answer their demand for a gold standard by saying to them: *You shall not press down upon the brow of labor this crown of thorns, you shall not crucify mankind upon a cross of gold.*

Annexation of Hawaii, 1898

Soon after the expiration of President Cleveland's term commissioners from Hawaii went to Washington and urged a treaty of annexation. President McKinley favored the plan. On June 16, 1897, a treaty was signed, and on the following day it was sent to the Senate by the President, who recommended its ratification, but the Senate adjourned without action. Then, on June 11, 1898, the House Committee on Foreign Affairs reported a joint resolution, which was passed in both Houses and approved on July 7, 1898. See also "Treaty for the Annexation of Hawaii, 1893," p. 288. Text from "Senate Document 16" (Report of the Hawaiian Commission), Fifty-fifth Congress, Third Session. Washington: Government Printing Office, 1898, Serial No. 3727, pp. 1–2. (See page 180.)

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore,

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CHEERING IN FRONT OF THE EXECUTIVE BUILDING, HONOLULU, WHEN NEWS OF THE ANNEXATION OF THE ISLANDS WAS RECEIVED

(From a drawing by T. De Thulstrup, published in *Harper's Weekly*, August 13, 1898)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the

Copyright, 1898, by Davey, Honolulu, H. I.

THE LAST MEETING OF THE HAWAIIAN CABINET

(From *Harper's Weekly*, September 3, 1898. Left to right—S. M. Damon, Minister of Finance; Capt. James A. King, Minister of Interior; President Sanford B. Dole; H. E. Cooper, Minister of Foreign Affairs; stenographer; W. O. Smith, Attorney-General)

property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit

of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

SANFORD B. DOLE

(From *Harper's Weekly*, February 18, 1893, after a photograph by Bell. Chosen chief of the provisional government of the Hawaiian Islands in 1893, and in the following year elected president of the newly formed republic for the period of seven years. He advocated the annexation of Hawaii to the United States and after annexation (1898) he was appointed governor of the Territory of Hawaii)

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian

Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

SEC. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

McKinley's Message on the Destruction of the "Maine," 1898

This message, dated March 28, 1898, details the purpose of the visit of the *Maine* to Havana, her destruction on February 15th, and the findings of the court of inquiry. The disaster precipitated the War with Spain, which resulted in the independence of Cuba and the acquisition of Porto Rico, the Philippines, and Guam by the United States. Text from "Senate Document 207," Serial No. 3610, Fifty-fifth Congress, Second Session. Washington: Government Printing Office, 1898, pp. 3–5. (See page 156.)

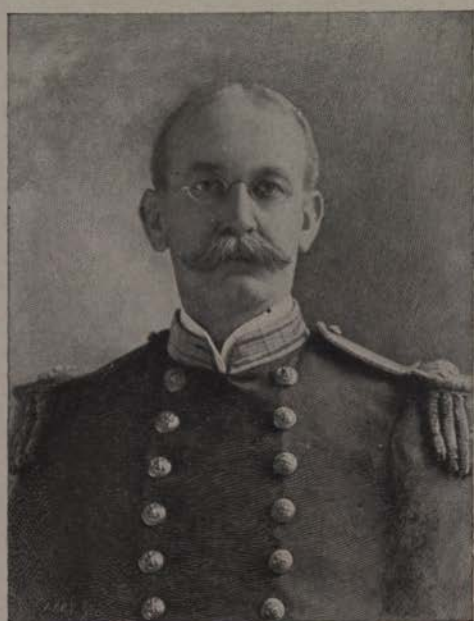
To the Congress of the United States:

For some time prior to the visit of the "Maine" to Havana harbor our consular representatives pointed out the advantages to flow from the visit of national ships to the Cuban waters, in accustoming the people to the presence of our flag as the symbol of good will, and of our ships in the fulfillment of the mission of protection to American interests, even though no immediate need therefor might exist.

Accordingly on the 24th of January last, after conference with the Spanish minister, in which the renewal of visits of our war vessels to Spanish waters was discussed and accepted, the peninsular authorities at Madrid and Havana were advised of the purpose of this Government to resume friendly naval visits at Cuban

ports, and that in that view the "Maine" would forthwith call at the port of Havana.

This announcement was received by the Spanish Government with appreciation of the friendly character of the visit of the "Maine," and with notification of



CHARLES DWIGHT SIGSBEE

(In command of the United States battle-ship *Maine*, which was destroyed at her assigned anchorage in Havana Harbor, February 15, 1898)

intention to return the courtesy by sending Spanish ships to the principal ports of the United States. Meanwhile the "Maine" entered the port of Havana on the 25th of January, her arrival being marked with no special incident besides the exchange of customary salutes and ceremonial visits.

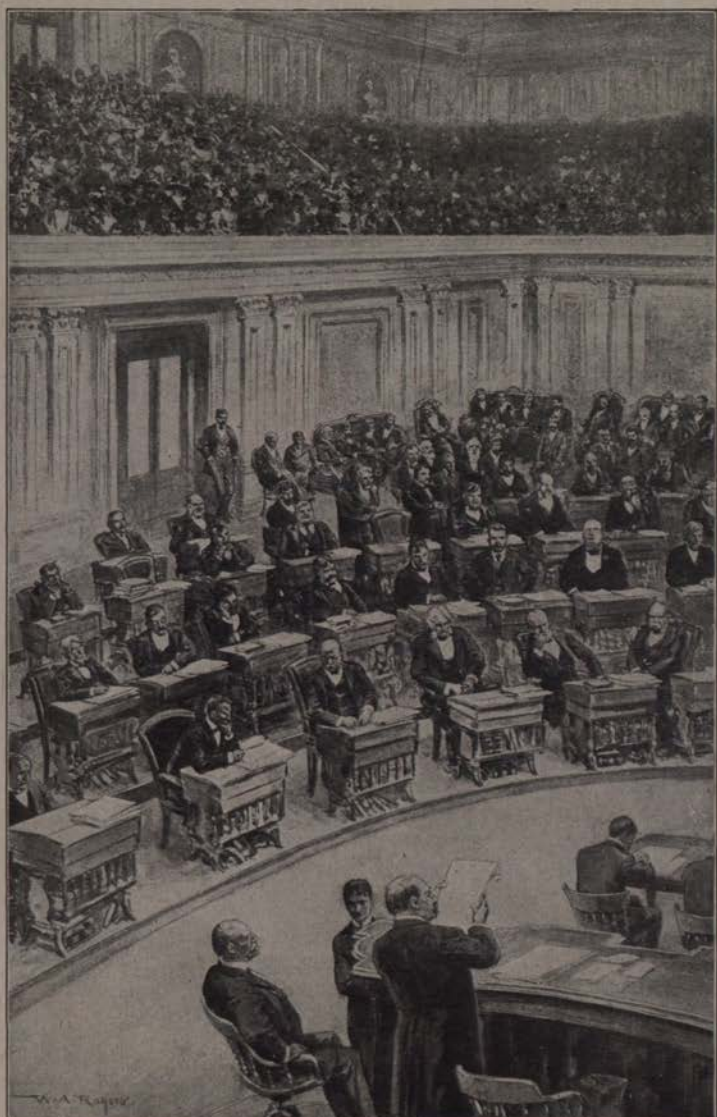
The "Maine" continued in the harbor of Havana during the three weeks following her arrival. No ap-

preciable excitement attended her stay; on the contrary, a feeling of relief and confidence followed the resumption of the long-interrupted friendly intercourse. So noticeable was this immediate effect of her visit that the consul-general strongly urged that the presence of our ships in Cuban waters should be kept up by retaining the "Maine" at Havana or, in the event of her recall, by sending another vessel there to take her place.

At forty minutes past nine in the evening of the 15th of February the "Maine" was destroyed by an explosion, by which the entire forward part of the ship was utterly wrecked. In this catastrophe 2 officers and 264 of her crew perished, those who were not killed outright by her explosion being penned between decks by the tangle of wreckage and drowned by the immediate sinking of the hull.

Prompt assistance was rendered by the neighboring vessels anchored in the harbor, aid being especially given by the boats of the Spanish cruiser "Alfonso XII" and the Ward Line Steamer "City of Washington," which lay not far distant. The wounded were generously cared for by the authorities of Havana, the hospitals being freely opened to them, while the earliest recovered bodies of the dead were interred by the municipality in a public cemetery in the city. Tributes of grief and sympathy were offered from all official quarters of the island.

The appalling calamity fell upon the people of the country with crushing force, and for a brief time an intense excitement prevailed, which in a community less just and self-controlled than ours might have led to hasty acts of blind resentment. This spirit, however, soon gave way to the calmer processes of reason and to the resolve to investigate the facts and await material proof before forming a judgment as to the cause, the responsibility, and, if the facts warranted, the remedy due. This course necessarily recommended itself from



READING PRESIDENT MCKINLEY'S MESSAGE ON THE DESTRUCTION OF THE "MAINE" IN THE UNITED STATES SENATE, MARCH 25, 1898

(From a drawing by W. A. Rogers, published in *Harper's Weekly*, April 9, 1898)

the outset to the Executive, for only in the light of a dispassionately ascertained certainty could it determine the nature and measure of its full duty in the matter.

The usual procedure was followed, as in all cases of casualty or disaster to national vessels of any maritime state. A naval court of inquiry was at once organized, composed of officers well qualified by rank and practical experience to discharge the onerous duty imposed upon them. Aided by a strong force of wreckers and divers, the court proceeded to make a thorough investigation on the spot, employing every available means for the impartial and exact determination of the causes of the explosion. Its operations have been conducted with the utmost deliberation and judgment, and while independently pursued no attainable source of information was neglected, and the fullest opportunity was allowed for a simultaneous investigation by the Spanish authorities.

The finding of the court of inquiry was reached, after twenty-three days of continuous labor, on the 21st of March instant, and, having been approved on the 22d by the commander-in-chief of the United States naval force on the North Atlantic Station, was transmitted to the Executive.

It is herewith laid before the Congress, together with the voluminous testimony taken before the court.

Its purport is, in brief, as follows:

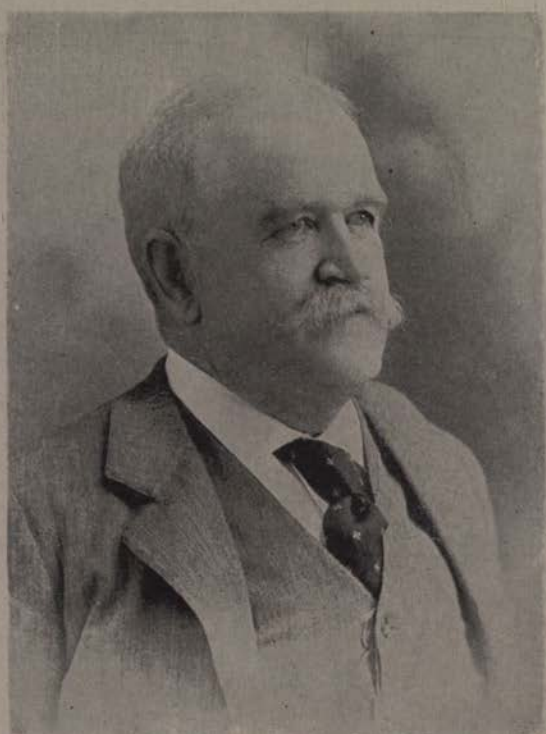
When the "Maine" arrived at Havana she was conducted by the regular Government pilot to buoy No. 4, to which she was moored in from 5½ to 6 fathoms of water.

The state of discipline on board and the condition of her magazines, boilers, coal bunkers, and storage compartments are passed in review, with the conclusion that excellent order prevailed and that no indication of any cause for an internal explosion existed in any quarter.

At eight o'clock in the evening of Feb. 15 everything had been reported secure, and all was quiet.

At forty minutes past nine o'clock the vessel was suddenly destroyed.

There were two distinct explosions, with a brief interval between them.



JOHN DAVIS LONG
(Secretary of the Navy in 1898)

The first lifted the forward part of the ship very perceptibly. The second, which was more open, prolonged, and of greater volume, is attributed by the court to the partial explosion of two or more of the forward magazines.

The evidence of the divers establishes that the after

part of the ship was practically intact and sank in that condition a very few moments after the explosion. The forward part was completely demolished.

SEÑOR DUPUY DE LOME
(Spanish Minister to the United States)

Upon the evidence of a concurrent external cause the finding of the court is as follows:

"At frame 17 the outer shell of the ship, from a point 11½ feet from the middle line of the ship and 6 feet above the keel when in its normal position, has been

forced up so as to be now about 4 feet above the surface of the water, therefore about 34 feet above where it would be had the ship sunk uninjured.

"The outside bottom plating is bent into a reversed V shape (Λ), the after wing of which, about 15 feet broad and 32 feet in length (from frame 17 to frame 25), is doubled back upon itself against the continuation of the same plating, extending forward.

"At frame 18 the vertical keel is broken in two and the flat keel bent into an angle similar to the angle formed by the outside bottom plates. This break is now about 6 feet below the surface of the water and about 30 feet above its normal position.

"In the opinion of the court this effect could have been produced only by the explosion of a mine situated under the bottom of a ship at about frame 18 and somewhat on the port side of the ship."

The conclusions of the court are:

That the loss of the "Maine" was not in any respect due to fault or negligence on the part of any of the officers or members of her crew.

That the ship was destroyed by the explosion of a submarine mine, which caused the partial explosion of two or more of her forward magazines; and

That no evidence has been obtainable fixing the responsibility for the destruction of the "Maine" upon any person or persons.

I have directed that the finding of the court of inquiry and the views of this Government thereon be communicated to the Government of her Majesty the Queen Regent, and I do not permit myself to doubt that the sense of justice of the Spanish nation will dictate a course of action suggested by honor and the friendly relations of the two governments.

It will be the duty of the Executive to advise the Congress of the result, and in the meantime deliberate consideration is invoked.

Recognition of Cuban Independence, 1898

This action took the form of a joint resolution for the recognition of the independence of the people of Cuba, reciting demands and directing the President to take necessary measures to effect the purpose of the resolution, which was approved on April 20, 1898. Text from "Congressional Record," Vol. XXXI., 1898, p. 4041. (See page 160.)

Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle-ship, with two hundred and sixty-six of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April eleventh, eighteen hundred and ninety-eight, upon which the action of Congress was invited: Therefore,

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,

First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island

PRESIDENT MCKINLEY SIGNING THE ULTIMATUM TO SPAIN IN THE PRESENCE OF HIS CABINET. AT THE EXTREME LEFT (STANDING) ARE CONGRESSMAN JOSEPH E. CANNON AND SENATOR STEPHEN B. ELKINS

(From a drawing by T. De Thulstrup, published in *Harper's Weekly*)

Same 335 H.O.A.P. (10)

of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is directed and empowered to use the entire land and naval forces of the United States, and

SOLDIERS OF THE CUBAN ARMY

to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said Island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the Island to its people.

Treaty of Peace with Spain, 1898

A few days after the destruction of the Spanish fleet off Santiago de Cuba and the capitulation of the Spanish army at that city the Spanish Government made overtures for peace through the French Ambassador at Washington. Terms were proposed on July 30th; hostilities were suspended on August 12th; and the subjoined treaty was signed at Paris on December 10th. From text in "United States Statutes at Large," Vol. XXX., pp. 1754–1762. (See page 176.)

ARTICLE I

Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

ARTICLE II

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrones.

JULES MARTIN CAMBON

(French Ambassador to the United States in 1898. After the defeat of Spain he was appointed the special representative of the Spanish Government to arrange for a cessation of hostilities as well as for the preliminaries of peace. After the ratification of peace he was selected by the governments of the United States and Spain to make the formal exchange of certified copies of the Act)

ARTICLE III

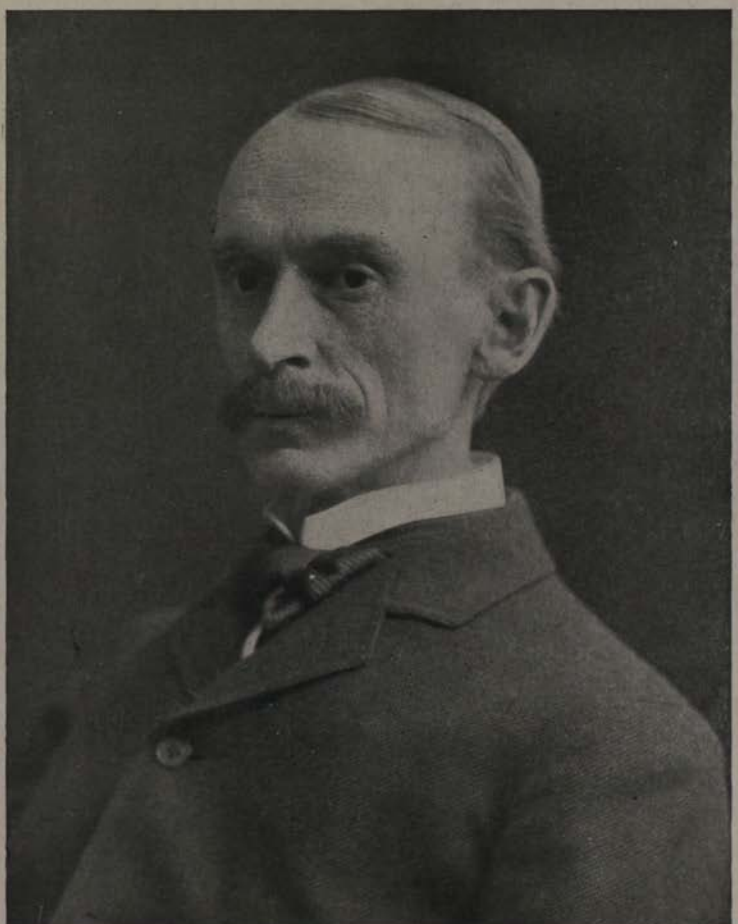
Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following line:

A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth (118th) to the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich, thence along the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich to the parallel of four degrees and forty-five minutes (4° 45′) north latitude, thence along the parallel of four degrees and forty-five minutes (4° 45′) north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35′) east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35′) east of Greenwich to the parallel of latitude seven degrees and forty minutes (7° 40′) north, thence along the parallel of latitude seven degrees and forty minutes (7° 40′) north to its intersection with the one hundred and sixteenth (116th) degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth (10th) degree parallel of north latitude with the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich to the point of beginning.

The United States will pay to Spain the sum of twenty million dollars ($20,000,000) within three months after the exchange of the ratifications of the present treaty.

ARTICLE IV

The United States will, for the term of ten years from the date of the exchange of the ratifications of the



WILLIAM RUFUS DAY

(Secretary of State in 1898 in charge of the delicate diplomatic correspondence preceding and during the War with Spain and of the negotiations of the protocol of peace. After the protocol had been drafted Judge Day was appointed chief of the United States Peace Commission, his place as Secretary of State being filled by John Hay)

present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

ARTICLE V

The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the Commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the Protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Governments. Stands of colors, uncaptured war vessels, small arms, guns of all calibers, with their carriages and accessories, powder, ammunition, live stock, and materials and supplies of all kinds, belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defences, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the meantime, purchase such material from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

ARTICLE VI

Spain will, upon the signature of the present treaty, release all prisoners of war, and all persons detained or imprisoned for political offences, in connection with the insurrections in Cuba and the Philippines and the war with the United States.

Reciprocally, the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will at its own cost return to Spain and the Government of Spain will at its own cost return to the United States, Cuba, Porto Rico, and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

ARTICLE VII

The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either Government, or of its citizens or subjects, against the other Government, that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

ARTICLE VIII

In conformity with the provisions of Articles I, II, and III, of this treaty, Spain relinquishes in Cuba, and cedes in Porto Rico and other islands in the West Indies,

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ENDING THE WAR—M. JULES CAMBON, THE FRENCH AMBASSADOR, SIGNING THE PEACE PROTOCOL ON BEHALF OF SPAIN

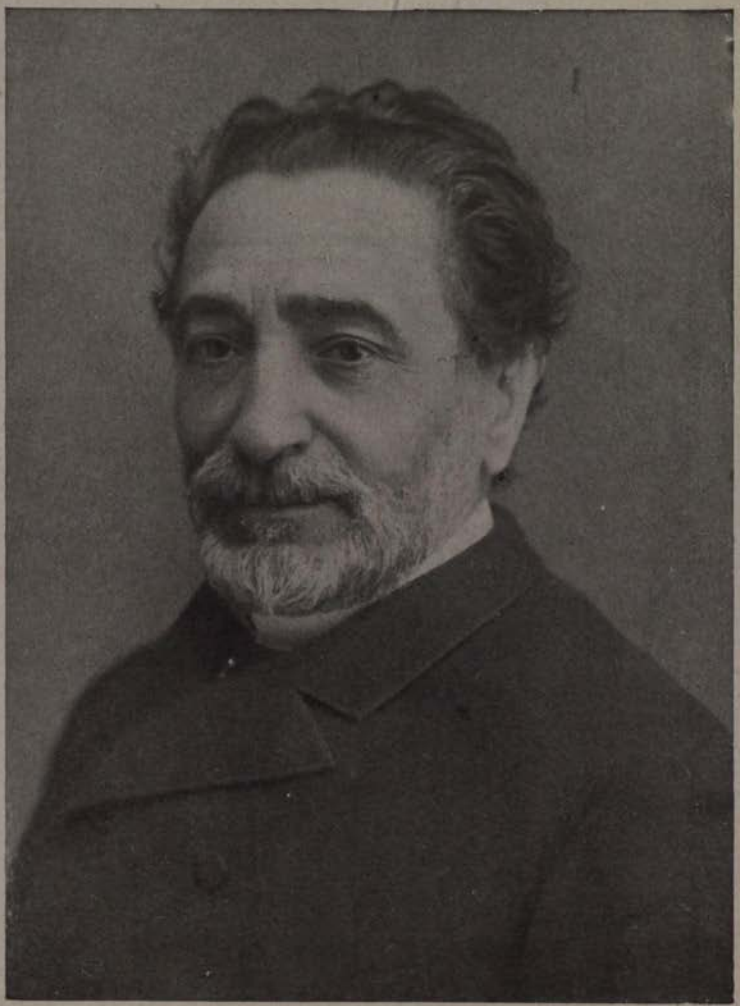
(From a drawing by T. De Thulstrup, published in *Harper's Weekly*, August 27, 1898. From left to right—Lieutenant-Colonel Montgomery; President McKinley; Mr. Day, Secretary of State; Mr. Moore, Assistant Secretary of State; M. Thiebaut, Secretary of the French Embassy; M. Cambon; Mr. Pruden, Assistant Secretary to the President; Mr. Cortelyou, Assistant Secretary to the President; Mr. Cridler, Third Assistant Secretary of State; Captain Charles Loeffler, doorkeeper)

in the island of Guam, and in the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.



PRAXEDES MATEO SAGASTA

(Premier of Spain in 1897. The result of the War with the United States led to his resignation in 1899. But he again took office in 1901, resigning in 1902, when Alfonso XIII. attained his majority)

ARTICLE IX

Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

ARTICLE X

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

ARTICLE XI

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing

the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong.

ARTICLE XII

Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories

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SECRETARY OF STATE JOHN HAY SIGNING THE MEMORANDUM OF THE RATIFICATION OF THE TREATY OF PEACE WITH SPAIN ON BEHALF OF THE UNITED STATES AT THE WHITE HOUSE, APRIL 11, 1899

(From *Harper's Weekly*, April 22, 1899)

over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

(1) Judgments rendered either in civil suits between private individuals, or in criminal matters, before the

date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

(2) Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending or in the court that may be substituted therefor.

(3) Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

ARTICLE XIII

The rights of property secured by copyrights and patents acquired by Spaniards in the Island of Cuba, and in Porto Rico, the Philippines and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories, for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

ARTICLE XIV

Spain shall have the power to establish consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

ARTICLE XV

The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light

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M. JULES CAMBON, THE FRENCH AMBASSADOR, SIGNING THE MEMORANDUM OF THE RATIFICATION OF THE TREATY OF PEACE WITH SPAIN ON BEHALF OF SPAIN AT THE WHITE HOUSE, APRIL 11, 1899

(From *Harper's Weekly*, April 22, 1899)

dues, and tonnage duties, as it accords to its own merchant vessels, not engaged in the coastwise trade.

This article may at any time be terminated on six months' notice given by either Government to the other.

ARTICLE XVI

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy, advise any Government established in the island to assume the same obligations.

ARTICLE XVII

The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

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